

CHAPTER 16 - ZONING CODE¹

ARTICLE 16-1 ADOPTION OF ZONING CODE

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Section 16-1-1 Title and Purpose.

This chapter may be cited and referred to collectively as the Maricopa Zoning Code. The purpose of this chapter is to conserve and promote the public health, safety and welfare through the regulation of the use of buildings, structures and land and to secure for the citizens of the City of Maricopa the social and economic advantages of an orderly and efficient use of land, and to provide logical procedures for the achievement of this purpose.

Section 16-1-2 Authority and Jurisdiction

Authorization for the city to adopt zoning regulations is given in the Arizona Revised Statutes, Section 9-462.01 et. seq., as amended.

Section 16-1-3 Rules and Definitions

The following rules and definitions shall be used when interpreting the provisions of this Chapter and the Zoning Code adopted thereby. If the definitions provided herein conflict in any way with the definitions of the code adopted in sections 16-1-4 and 16-1-5 herein, the definitions set forth in this Section shall prevail.

- A. All references in the Zoning Code to the "Board of Supervisors" shall mean the City Council of the City of Maricopa.
- B. All references to the Commission or Planning Commission of Pinal County shall mean the City Council of Maricopa or the Maricopa Planning and Zoning Commission, if the same be established by Ordinance by the City Council.
- C. All references in the Zoning Code to the "County Attorney" shall mean the City of Maricopa City Attorney.
- D. All references to the "Clerk of the Board of Supervisors" shall mean the City Clerk.
- E. All references to the "County Engineer" shall mean the City Engineer or other person appointed by the City Council to fulfill such duties pending the permanent appointment of a City Engineer.
- F. All references to "County Officials" shall mean City Officials for the City of Maricopa.

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- G. All references to “County” or “Pinal County” (in all its various grammatical forms) shall mean the City of Maricopa, as amended to fit the grammatical context.
- H. All references in the Zoning Code to a “county road” or similar roadway shall mean a public street or roadway within the City of Maricopa.
- I. All references to the Pinal County Zoning Ordinance and Map shall mean the City of Maricopa Zoning Code and Map.
- J. All references to the “unincorporated portions of Pinal County” shall mean property within the incorporated City of Maricopa.
- K. All references to the County Zoning Inspector shall mean the City of Maricopa Zoning Administrator or other person appointed by the City Council to fulfill such duties pending the permanent appointment of a Zoning Administrator.
- L. Any and all references to Arizona Revised Statutes, Title 11 shall be read as if referring to the corresponding authority, if any, contained in A.R.S. Title 9.
- M. All references to the “County Treasurer” shall mean the City Treasurer or Finance Director.

Section 16-1-4 Adoption of Zoning Code and Map

A. Adoption of Maricopa Zoning Code.

That certain document entitled and known as “Pinal County Zoning Ordinance,” as amended and in effect as of June 1, 2004, is hereby adopted as the Maricopa Zoning Code and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection C. At least three copies of said code shall be maintained as a public record. Said copies shall be filed in the office of the city clerk and kept available for public use and inspection.

B. Adoption of Maricopa Zoning Map.

That certain document known as the Maricopa Zoning Map is hereby adopted and made a part of this chapter as though said map was set out or copied at length herein. The Zoning Map is located in the office of the City Clerk and shall be maintained as a public record. At all times, a copy of the Map shall be maintained within the city and kept available for public use and inspection.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.09 and PAD 05.07, signed by the Mayor and City Clerk, which is attached to Ordinance No. 05-12 and declared a part thereof.²

The Official Supplementary Zoning Map for Zoning Case ZON 05.09 and PAD 05.07 is adopted subject to compliance with the following conditions to said rezoning:

1. That Eagle Wing be developed in conformance with the City's zoning requirements consisting of CR-3 (Single Family Residential), CR-2

² Amended Section 16-1-4(B)

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(Single Family Residential), CB-2 (General Business), CI-1 (Industrial), and TR (Transitional) uses.

2. That Eagle Wing, which is within the Small Area Transportation Study boundaries, be developed in accordance with all recommendations of the final Implementation Plan as approved by the City.
3. That owner/applicant, at the time of Preliminary Plat, submit a Traffic Impact Analysis for the proposed development to be approved by the Director of Public Works or City Engineer.
4. That applicant work with the City to ensure land use concerns with regard to the City's General Plan are incorporated in to the development of Eagle Wing to the best of its ability.
5. That all roadway improvements including traffic signals, drainage and infrastructure improvements be in accordance with the current City Standards and/or subsequent standards that are developed by the City, as approved by the Director of Public Works or City Engineer and installed by the developer.
6. That, if the proposed impact fees are adopted by the City, developer shall pay the impact fees in accordance with the City Code, as amended from time to time.
7. That at the time of Preliminary Plat, applicant shall submit and secure all required applications, plans, supporting document submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies; and no Preliminary Plat shall be larger than what can be Final Platted and recorded within a two (2) year time period.
8. That minimum Front Yard setbacks shall be 20' from back of sidewalk and 10' to livable on all CR-3 Single Residence Lots.
9. That prior to Preliminary Plat approval, applicant/owner shall provide written verification from the Maricopa Fire District that fire hydrant location and applicable fire service concerns/ issues have been resolved to the satisfaction of the Fire District.
10. That applicant shall ensure that a minimum of fifteen percent (15%) of the approved Eagle Wing remains in useable open space.
11. That the Eagle Wing PAD shall be limited to an overall density not to exceed 3.5 units per gross acre, except that the mixed use parcels may have up to 20 units per acre if they develop as multifamily.
12. That applicant shall submit landscape plans to the City for review and approval prior to Final Plat approval.
13. That developer/owner shall continue to work with the City to develop the Maricopa Trail & Park Plan and shall incorporate the approved Maricopa Trail and Park Plan into the overall design of the Eagle Wing PAD and developer/owner shall be responsible for the construction of the improvements of those portions of the Maricopa Trail and Park Plan within the overall PAD.

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14. That developer shall continue to work with the City and other landowners within the flood plain area of the Santa Rosa Wash to develop an agreement as to the specific improvements, timing of construction, and proportionate cost share of the improvements and development of the Santa Rosa Wash portion of the Maricopa Trail and Park Plan.
15. That prior to Final Plat approval, a document giving notice of the existence of agricultural uses and concentrated animal feeding operations ("CAFO") acceptable to the City Attorney shall be submitted to the Planning Department; that the document shall describe the uses in separate paragraphs, shall state that the residential units are located in an area that may be impacted by the potential visual and physical impacts of the existing agricultural uses and CAFO's that are within close proximity to the development, shall include a place for the purchaser's signature acknowledging the notice, and shall be made part of the closing documents and purchase contracts for each residential units sold in the developable areas.
16. That prior to Preliminary Plat, applicant shall provide written verification from the Maricopa Unified School District #20 and the Casa Grande Unified School District that applicable school concerns/issues have been resolved to the satisfaction of the School District.
17. That all property included in the legal description of Eagle Wing be subject to a Declaration of Restrictions and Covenants acceptable to the City which shall, among other things, provide for: formation of a single "master" property owner's association, assessment of all members of the master association for the cost of maintaining all common areas, and specific notice of surrounding land uses; and approval of the Declaration shall be obtained from the City Planning Department prior to the recordation of the first plat for any portion of the planned development.
18. That if features of archeological or historical interest are encountered or unearthed during construction, that developer stop work in the immediate vicinity of such feature, protect it from damage or disturbance and report promptly to the City; and developer shall not resume construction in the immediate vicinity of the feature until it is advised by the appropriate jurisdictional authorities that study or removal of the feature or features have been completed.
19. That applicant shall provide a written statement from the Arizona State Historical Preservation Office that there are no cultural, archeological or historical resources evident on the site at the present time and said written statement shall be provided to the Planning Department as part of the documentation required to process any Final Plat for the Eagle Wing Master Planned Development.
20. That any major amendment to the PAD shall be processed by the City's Planning Department as a new application in accordance with City Regulations; and a major amendment shall be defined as including, but not limited to: a 10% deviation in parcel size, alteration for the height, coverage, square footage, external appearance, or use of any building or structure; any significant or substantial rearrangements of such buildings or structures; any change in the residential units' density, ownership

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pattern, or significant lot dimensions; any alteration of landscaped areas, public access spaces, recreation area, or other amenities; any change in phasing or timing; any alteration to the utilities to be provided to the PAD. The Planning Department shall, in cases of question, determine whether a change shall be designated as major or minor.

21. That applicant work with the City in encouraging proposed developments within Eagle Wing to adhere to the comprehensive design guidelines established through its PAD request; and design guidelines shall be submitted to the Planning Department for review and approval by the Planning and Zoning Commission.
22. That applicant develop the above-described property in accordance with its application and supporting submittal documents approved by the City.
23. That applicant is to continue working with the Ak-Chin Indian Community, City of Maricopa, Pinal County, and adjacent industrial properties to establish an appropriate buffer between the Eagle Wing development and existing land uses.

Amended by adopting the Official Supplementary Zoning Map for PAD 05.09 Eagle Shadow MPD Amendment, signed by the Mayor and City Clerk, which is attached to Ordinance 05-13 and declared a part thereof.³

PAD 05.09 Eagle Shadow MPD Amendment and the Official Supplementary Zoning Map for PAD 05.09 Eagle Shadow MPD Amendment is adopted subject to compliance with the following conditions to said rezoning:

1. That Single Family Residential (CR-3) zoning be removed from parcel "A" and Parcel "B" and replaced with Transitional (TR) zoning and that the applicant shall submit a revised Land Use Plan exhibit reflecting this change.
2. That development of Eagle Shadow shall be in conformance with the City's zoning requirements consisting of CR-3 (Single Family Residential), CR-2 (Single Family Residential), CB-2 (General Business), and TR (Transitional) uses.
3. That applicant shall work with the City to ensure land use concerns with regards to the City's General Plan are incorporated in to the development of Eagle Shadow to the best of its ability.
4. That Eagle Shadow, which is within the Small Area Transportation Study boundaries, shall be developed in accordance with all recommendations of the final Implementation Plan as approved by the City.
5. That, if the proposed impact fees are adopted by the City, developer shall pay the impact fees in accordance with the City Code, as amended from time to time.

³ Amended Section 16-1-4(B)

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6. That owner/applicant, at the time of Preliminary Plat, shall submit a Traffic Impact Analysis for the proposed development to be approved by the Director of Public Works or City Engineer.
7. That all public roadway and infrastructure improvements shall be in accordance with the current City Standards and/or subsequent standards that are developed by the City, as approved by the Director of Public Works or City Engineer and installed by the developer.
8. That developer/owner will coordinate with the City's Public Works Department in addressing circulation between this proposed PAD and adjacent PAD's both current and proposed.
9. That a letter of map revision from FEMA is required in order to remove this property from the flood plain and eliminate any potential flooding risk.
10. That at the time of Preliminary Plat, the applicant shall submit and secure all required applications, plans, supporting document submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies.
11. That prior to Preliminary Plat approval, the applicant/owner shall provide written verification from the Maricopa Fire District that fire hydrant location and applicable fire service concerns/ issues have been resolved to the satisfaction of the Maricopa Fire District.
12. That applicant shall ensure that a minimum of fifteen percent (15%) of the approved Eagle Shadow Master Planned Community remains in useable open space.
13. That the Eagle Shadow PAD shall be limited to an overall density not to exceed 3.5 units per acre; except that the TR (Transitional) parcels may have up to 20 units per acre if they develop as multifamily.
14. That since this development is within the area of the Maricopa Trail & Park Plan comments of compliance on overall design from the Parks, Recreation and Libraries Director prior to Final Plat approval must be received.
15. That applicant shall submit landscape plans to the City for review and approval prior to final plat approval.
16. That prior to Preliminary Plat, applicant shall provide written verification from the Maricopa Unified School District #20, the Casa Grande Elementary School District and the Casa Grande High School district that applicable school concerns/issues have been resolved to the satisfaction of the School District.
17. That off street parking for parks not adjacent to school sites shall be provided in a location to be determined with final design subject to approving agency review.
18. That all of the property included in the legal description of Eagle Shadow be subject to a Declaration of Restrictions and Covenants acceptable to the City which shall, among other things, provide for: formation of a

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single “master” property owner’s association, assessment of all members of the master association for the cost of maintaining all common areas, and specific notice of surrounding land uses; and approval of the Declaration shall be obtained from the City Planning Department prior to the recordation of the first plat for any portion of the planned development.

19. That applicant/owner grant an Agricultural Spray Easement to adjacent farm owners/operators and that said Agricultural Spray Easement be referenced in the recorded CC&R’s and referenced in the notes section on the preliminary and final PAD plat(s).
20. That prior to Final Plat approval of the Eagle Shadow PAD, a document giving notice of the existence of agricultural uses acceptable to the City Attorney shall be submitted to the Planning Department, and such document shall describe the uses in separate paragraphs, shall include a place for the purchaser’s signature acknowledging the notice, and shall be made part of the closing documents and purchase contracts for each residential unit sold in the developable areas.
21. That any major amendment to the PAD shall be processed by the City’s Planning Department as a new application in accordance with City Regulations; A major amendment shall be defined as including, but not limited to: alteration for the height, coverage, square footage, external appearance, or use of any building or structure; any significant or substantial rearrangements of such buildings or structures; any change in the residential units’ density, ownership pattern, or significant lot dimensions; any alteration of landscaped areas, public access spaces, recreation area, or other amenities; any change in phasing or timing; any alteration to the utilities to be provided to the PAD. The Planning Department shall, in cases of question, determine whether a change shall be designated as major or minor.
22. That applicant work with the City in encouraging proposed developments within the Eagle Shadow Master Planned Community to adhere to the comprehensive design guidelines established through its PAD request.
23. That applicant develop Eagle Shadow in accordance with its application and supporting submittal documents approved by the City.
24. The applicant is to continue working with the Ak-Chin Indian Community, City of Maricopa, Pinal County, and adjacent industrial properties to establish an appropriate buffer between Eagle Shadow development and existing land uses.
25. That applicant include a location for a place of worship within the Eagle Shadow Master Plan Community.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.05 and PAD 05.05, signed by the Mayor and City Clerk, which is attached to Ordinance 05-14 and declared a part thereof.⁴

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The Official Supplementary Zoning Map attached thereto is adopted subject to compliance with the following conditions to said rezoning:

1. That applicant ensure that 45' wide lots are the minimum for the San Travasa Development.
2. That written verification be submitted to the City from the Ak-Chin Indian Community stating that their concerns have been addressed in relation to the existing cotton gin located within the center of the San Travasa Development and which is owned by the Ak-Chin Indian Community.
3. That detached sidewalks be provided for on both sides of collector streets and on at least one side of all other streets.
4. That applicant submit to the City preliminary water and sewer designs for the San Travasa Development in accordance with the design standards as a preliminary assessment of the designs for conformance to the area Master Water and Sewer Plans. This submittal shall include preliminary elevations for the commercial parcels and a benchmark for the development.
5. That prior to City Council approval, applicant submit to the Planning Department its Residential Development Standards referencing lot sized, lots widths and setbacks for each housing type/product and that applicant submit a list of residential land uses and a breakdown on the ratio of lot sizes and percentages.
6. That applicant submit for review and approval its Commercial Architectural Design Standards prior to commercial development.
7. That half arterial street improvements be constructed on Farrell Road.
8. That the right-of-way on the Maricopa-Casa Grande Highway be widened to four (4) lanes.
9. That applicant work with the City to ensure land use concerns with regards to the City's General Plan are incorporated into the San Travasa Development to the best of its ability.
10. That the San Travasa Development, which is within the Small Area Transportation Study boundaries, be developed in accordance with all recommendations of the final Implementation Plan as approved by the City.
11. That applicant/owner shall pay the impact fees in accordance with the City Code, as amended from time to time.
12. That applicant/owner, at the time of Preliminary Plat, submit a Traffic Impact Analysis for the proposed development to be approved by the Director of Public Works or City Engineer.
13. That all roadway and infrastructure improvements be in accordance with the current City standards and/or subsequent standards that are

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developed by the City and approved by the Director of Public Works or City Engineer.

14. That developer/owner coordinate with the City's Public Works Department in addressing circulation between this proposed PAD and adjacent PADs both current and proposed.
15. That a letter of map revision be obtained from FEMA which removes the above-described property from the flood plain and eliminates any potential flooding risk.
16. That at the time of Preliminary Plat, applicant submit and secure all required application, plans, supporting document submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies.
17. That prior to Preliminary Plat approval, applicant/owner provide written verification from the Maricopa Fire District that fire hydrant location and applicable fire service concerns and issues have been resolved to the satisfaction of the Fire District.
18. That applicant ensure that a minimum of twenty percent (20%) of the approved San Travasa Development remains in useable open space.
19. That the San Travasa PAD be limited to an overall density not to exceed 3.5 units per gross acre, except that the mixed use parcel may have up to 20 units per acre if developed as multifamily.
20. That comments of compliance on overall design be received from the Parks, Recreation and Libraries Director prior to Final Plat approval.
21. That applicant submit landscape plans to the City for review and approval prior to the Final Plat approval.
22. That prior to Preliminary Plat, applicant provide written verification from the Maricopa Unified School District #20 and the Casa Grande Union High School District that applicable school concerns and issues have been resolved to the satisfaction of said School Districts.
23. That off street parking for parks not adjacent to school sites shall be provided in a location to be determined with final design subject to approving agency review.
24. That all property included in the legal description of the San Travasa application be subject to a Declaration of Restrictions and Covenants acceptable to the City which shall, among other things, provide for: formation of a single "master" property owner's association, assessment of all members of the master association for the cost of maintaining all common areas, and specific notice of surrounding land uses; and approval of the Declaration shall be obtained from the City Planning Department prior to the recordation of the first plat for any portion of the planned development.
25. That applicant/owner grant an Agricultural Spray Easement to adjacent farm owners/operators and that the Agricultural Spray Easement be

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referenced in the recorded CC&Rs and referenced in the notes section on the preliminary and Final Plat for the San Travasa Development.

26. That prior to Final Plat approval of the San Travasa PAD, a document giving notice of the existence of agricultural uses acceptable to the City Attorney be submitted to the Planning Department. The document shall describe the uses in separate paragraphs, shall include a place for the purchaser's signature acknowledging the notice, and shall be made part of the closing documents and purchase contracts for each residential unit sold in the San Travasa Development.
27. That any major amendment to the PAD be processed by the City Planning Department as a new application in accordance with City Regulations; and a major amendment shall be defined as including, but not limited to: a ten percent (10%) deviation in parcel size; alteration for the height, coverage, square footage, external appearance, or use of any building or structure; any significant or substantial rearrangements of such building or structures; any change in the residential units' density, ownership pattern, or significant lot dimensions; any alteration of landscaped areas, public access spaces, recreation area, or other amenities; any change in phasing or timing; any alteration to the utilities to be provided to the PAD. The Planning Department shall, in cases of question, determine whether a change shall be designated as major or minor.
28. That applicant work with the City in encouraging proposed developments within San Travasa to adhere to the comprehensive design guidelines established through its PAD request.
29. That applicant develop the above-described property in accordance with its application and supporting submittal documents approved by the City.

Amended by changing the zoning of the property described in Zoning Case ZON 05.06 and PAD 05.06 and Ordinance 05-16, on approximately 486.7 acres from GR, General Rural Zoning District and designating 28.43 acres as CR-3, Single Family Residential, and 458.27 acres as CR-1, Single Family Residential, signed by the Mayor and City Clerk, and declared a part thereof.⁵

1. Further, those conditions of approval imposed by the City Council as part of Case ZON 05.06 & PAD 05.06 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by changing the zoning of the property described in Zoning Case ZON 05.13, on approximately 45.5 acres as **set forth in Ordinance 06-01**, from County zoning CI-2, Industrial Zone to City zoning CI-2, Industrial Zone, signed by the Mayor and City Clerk, and declared a part thereof.⁶

⁵ Amended Section 16-1-4(B) Ordinance 05-16 Adopted 12/20/05

⁶ Amended Section 16-1-4(B) Ordinance 06-01 Adopted 01/17/06

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1. Further, those conditions of approval imposed by the City Council as part of Case ZON 05.13 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.12 and PAD 05.14, changing the described property as **set forth in Ordinance 06-03** on approximately 617.2 acres, from CI-2, Industrial to PAD, CR-3, Single Family Residential, TR, transitional and CB-1, Commercial, signed by the Mayor and City Clerk, and declared a part thereof.⁷

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 05.12 and PAD 05.14 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.11 and PAD 05.12, changing the described property **as set forth in Ordinance 06-05** on approximately 326.43 acres from GR, General Rural to PAD, CR-3 and CR-4, Single Family Residential and CB-2, General Commercial, signed by the Mayor and City Clerk, and declared a part thereof.⁸

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 05.11 and PAD 05.12 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.14 and PAD 05.15, changing the described property **set forth in Ordinance 06-10** on approximately 2,179 acres from CR-1, CR-2, CR-3, CR-4, CB-1, CB-2, CB-2 SR, PAD Overlay to CR-2, CR-3 (Single Family Residential), CR-4 (Multi-Family Residential), CR-5 (Multi-Family Residential), TR (Transitional Zoning), CB-2 (Commercial) and SR (Golf Course) PAD, signed by the Mayor and City Clerk, and declared a part thereof.⁹

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 05.14 and PAD 05.15 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 06.01 and PAD 06.01, changing the described property **set forth in Ordinance 06-16** on approximately 278 acres from GR (General Rural) to CR-3 (Single Family Residential) PAD, signed by the Mayor and City Clerk, and declared a part thereof.¹⁰

7	Amended Section 16-1-4(B)	Ordinance 06-03	Adopted 03/21/06
8	Amended Section 16-1-4(B)	Ordinance 06-05	Adopted 04/04/06
9	Amended Section 16-1-4(B)	Ordinance 06-10	Adopted 08/01/06
10	Amended Section 16-1-4(B)	Ordinance 06-16	Adopted 11/09/06

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1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 06.01 and PAD 06.01 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 07.03, changing the described property **set forth in Ordinance 07-07** on approximately 313 acres from Pinal County Zoning CI-2 (Industrial Zone) to City Zoning CI-2 (Industrial Zoning), signed by the Mayor and City Clerk, and declared a part thereof.¹¹

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 07.03 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 06.06, changing the described property **set forth in Ordinance 07-09** on approximately 10 acres from General Rural (GR) to City Zoning CI-2 (CB-2), signed by the Mayor and City Clerk, and declared a part thereof.¹²

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 06.06 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

C. Amendments to the Maricopa Zoning Code.

1. Delete **Section 201** in its entirety.
2. Delete the language of **Section 301a** in its entirety.
3. Delete the language of **Section 303** in its entirety and replace with the following language:

As specified in A.R.S. §9-462.01(G), this Ordinance shall not be read to prevent or restrict agricultural composting, as defined in A.R.S. §9-462.01(G)(1), on farmland that is five or more contiguous acres and that meets the notification requirements set forth in A.R.S. §9-462.01(G).

4. Amend **Section 304** by replacing the reference to A.R.S. §11-830 with A.R.S. §9-462.02(A), and by replacing the language "100%" to read "50%."
5. Amend **Section 436b** by deleting the reference to §11-1001.
6. Amend the definition of Nonconforming Use contained in **Section 453** by deleting it in its entirety and replacing it with the following language:

Non-Conforming Use: Any use of building or of land that legally existed before its current zoning or land use category designation and has been maintained continuously since the time the applicable regulations governing the land

11 Amended Section 16-1-4(B) Ordinance 07-07 Adopted 04/09/07

12 Amended Section 16-1-4(B) Ordinance 07-09 Adopted 05/01/07

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changed and does not conform to the regulations as to use for the district in which it is situated.

7. Delete the definition of SUBDIVISIONS contained in **Section 465a** and replace it with the following language:

Subdivision:

1. Improved or unimproved land or lands divided for the purpose of financing, sale, lease, or conveyance whether immediate or future, into four or more lots, tracts or parcels of land; or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into two or more parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse, patio home, or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.
2. "Subdivision" does not include the following:
 - a. The sale or exchange of parcels of land between adjoining property owners if such sale or exchange does not create additional lots.
 - b. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
 - c. the leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil, or gas leases.
8. Amend **Section 502** by deleting the references to Map B and Map C.
9. Amend **Section 1601b** by replacing the first line with the following language: Advertising sign or structure, subject to Article 22
10. Amend **Section 1601g** by replacing the language "any county road or any street or route shown on the adopted Map of Major Thoroughfares and Proposed Routes (Map C, Section 502)" with "any public street."
11. Amend **Article 5, Article 20 and Article 20-B** by deleting all references to the word "mobile."
12. Amend **Article 21**, "Off-street Parking and Loading, Public Garages, and Filling Stations" by repealing current Article 21 in its entirety¹³ and replacing said Article with new Article 21, "Parking Regulations and Standards", as follows¹⁴:

ARTICLE 21- PARKING REGULATIONS and STANDARDS

Sec. 2100 **PURPOSE.** The purpose of this Article is to establish minimum standards for the provisions of adequate off-street parking, loading and maneuvering spaces for the uses permitted by this Ordinance in a manner which is safe, efficient, convenient and visually attractive. These

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As established in Ordinance Number 04-09

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Amended Article 21

Ordinance 05-08

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regulations shall apply to new construction and expansion of or changes to existing uses permitted by this Ordinance. The regulations set forth in this Article shall supplement any zoning district regulations set forth elsewhere in the Zoning Code

Sec. 2101 GENERAL REGULATIONS.

- A. All required parking and loading spaces and maneuvering areas shall be provided on the same parcel or lot as the principal structure wherever possible. A contiguous lot may be used for parking purposes if incorporated into the development site for the exclusive use of providing the required parking and the lot is properly zoned for parking purposes.
- B. All vehicular egress from parking lots to public right-of-way shall be by forward motion only, except in the case of a single residence fronting on a local street.
- C. Parking spaces for commercial and industrial uses shall not be located in the front yard setback or a side yard setback when adjacent to a residential zoning district.
- D. No part of any vehicle may overhang into a public sidewalk or within five (5) feet of a street curb where no sidewalk exists.
- E. Tandem arrangement of required parking spaces is prohibited. For purposes of this provision, "tandem arrangement" shall mean parking spaces arranged one behind the other, such that one car will be unable to exit the parking space if a second car has parked in the tandem space behind it.
- F. The parking, keeping, or storage of commercial rated vehicles in a residential zoning district is prohibited with the exception of (i) recreational vehicles; (ii) commercial rated vehicles in single residence zoning districts classified as "rural" under Section 501 of the Zoning Code; or (iii) in other residential zoning districts during times where the owner of the commercial rated vehicle is on call and the vehicle is reasonably necessary to perform the job for which the owner is on call. For purposes of this provision, "commercial rated vehicle" shall mean a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle either:
 - (1) Has a gross combined weight rating of twenty-six thousand one or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than ten thousand pounds.
 - (2) Has a gross vehicle weight rating of twenty-six thousand one or more pounds.
 - (3) Is a school bus.
 - (4) Is a bus.
 - (5) Is used in the transportation of materials found to be hazardous for the purposes of the hazardous materials transportation act (49 United States Code sections 5101 through 5127) and is required to be placarded under 49 Code of Federal Regulations section 172.504.

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- G. A commercial vehicle parked on residential lots or parcels 1 acre or larger shall be subject to the following conditions:
 - a. The vehicle shall be parked behind the rear wall plane of the main building on the lot or parcel;
 - b. The vehicle shall be parked no closer than ten (10) feet from any property line;
 - c. The vehicle shall be screened from view from streets and abutting property by a solid fence or landscaping.
- H. A commercial vehicle parked on residential lots or parcels less than 1 acre in size shall be subject to the following conditions:
 - a. The vehicle shall not be parked in the required front or street side setback area; and
 - b. The vehicle shall be screened from view from streets and abutting property by a solid fence or landscaping.

Sec. 2102 IMPROVEMENTS.

- A. Required parking spaces, parking lot area, loading spaces, maneuvering areas, driveways, and fire lanes shall be paved with asphalt, concrete, paving stones, or a similar material approved by the City to a sufficient thickness to withstand repeated vehicular traffic, except in the single residence zoning districts classified as "rural" under Section 501 of the Zoning Code.
- B. All required off-street parking spaces shall be connected with a public street, or by an approved private street, by a paved driveway, of not less than twenty (20) feet in length, within the property line; except in the single residence zoning districts classified as "rural" under Section 501 of the Zoning Code.
- C. All off-street parking lots shall be screened from street view, with a three (3) foot high screen wall, landscaping, a landscaped berm or a combination thereof. Parking lots shall be landscaped in accordance with the regulations of this Article and those regulations for the specific zoning district or land use found elsewhere in the Zoning Code or the Maricopa City Code.
- D. A six (6) inch vertical separation method, such as but not limited to a concrete curb, shall be required between any parking lot area and landscape area to protect the landscaped area and control vehicular circulation.

Sec. 2103 REQUIRED PARKING SPACES BY USE TYPE.

- A. The number of parking spaces required to be provided for uses permitted in the Zoning Code are specified in Table A below.
- B. In calculating the total number of required off-street parking spaces, fractional amounts shall be rounded up to the nearest whole number if the fraction is 0.5 or greater.
- C. The number of parking spaces required for uses not listed shall be determined by the Zoning Administrator and approved through the site plan process.
- D. In the case of mixed uses, the total requirement for off-street parking spaces shall be the sum of the various uses computed separately. Cumulative parking space requirements for mixed-use occupancies may be reduced by the Zoning

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Administrator if it is determined that peak requirements of the mixed-use occupancies occur at different times.

- E. For purposes of this Section, "G.F.A." is used to represent Gross Floor Area, which shall mean the sum of the gross horizontal area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage. Gross floor area shall not include: (a) underground parking space; (b) exterior balconies; or (c) uncovered steps.

TABLE A - REQUIRED PARKING SPACES

LAND USE	REQUIRED VEHICLE PARKING	RECOMMENDED SPECIAL PARKING
Residential Uses		
Single Residence, detached dwellings	2 spaces: dwelling	N/A
Multiple Residence: Efficiency One (1) bedroom units Two (2) bedroom units and larger Town homes and Condominiums	1 space: unit plus * 1.5 spaces: unit plus * 2 spaces: unit plus * 2 spaces: unit plus *	N/A

*One (1) visitor space per ten (10) units must be provided. At least one (1) parking space per multiple residence unit must be covered and assigned to a unit.

Institutional Uses		
Churches: Main assembly (fixed seating) Main assembly (without fixed seating) Classroom and other buildings	1 space: 4 seats 1 space: 100 sf. of G.F.A. 1 space: 300 sf. of G.F.A.	1 bicycle: 20 vehicle spaces
Hospitals	1 space: 400 sf. of G.F.A.	1 bicycle: 20 vehicle spaces
Elementary Schools & Jr. High Schools	1 space: classroom; <u>plus</u> 1 space: 600 sf. G.F.A.	1 bicycle: 10 students
High Schools, Trade Schools & Colleges	1 space: each employee <u>plus</u> 1 space: 300 sf. G.F.A.	1 bicycle: 20 students

LAND USE	REQUIRED VEHICLE PARKING	RECOMMENDED SPECIAL PARKING
Commercial Uses		
Commercial Amusement -Outdoors: golf courses driving ranges miniatures golf courses, batting cages, amusement parks, water slides	4 spaces: hole <u>plus</u> 1 space: 200 sf G.F.A. clubhouse 1 space: each tee space 1 space: 500 sf of outdoor recreational area plus ancillary indoor use	N/A N/A 1 bicycle: 10 vehicle spaces

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Commercial Amusement - Indoors: amusement center/ arcades skating rinks and dance clubs theaters bowling alleys billiard hall	1 space: 100 sf G.F.A. 1 space: 100 sf G.F.A. 1 space: 6 seats 4 space: lane 2 spaces: table	1 bicycle: 10 vehicle spaces 1 bicycle: 20 vehicle spaces 1 bicycle: 20 vehicle spaces 1 bicycle: lane 1 bicycle: table
Parks (public or private)	30 spaces: athletic field 1 bicycle: 10 vehicle spaces	
Parks (public or private) without adjoining accessible parking lots	35 spaces: athletic field 6 spaces: volleyball 6 spaces: basketball court 2 spaces: tennis court 1 bicycle: 10 vehicle spaces	
Health clubs, gymnasiums	1 space: 100 sf G.F.A.	1 bicycle: 20 vehicle spaces 1 motorcycle: 10 vehicle
Medical & Dental Offices, Clinics	1 space: 200 sf G.F.A. <u>plus</u> 1 space: 2 employees	1 bicycle: 20 vehicle spaces 1 motorcycle: 10 vehicle
General, Professional & Civic Offices	1 space: 300 sf G.F.A.	1 motorcycle: 10 vehicle 1 bicycle: 20 vehicle spaces
Retail sales, personal services, banks, & grocery stores. Shopping center & the associated retail and service stores; if the anchor tenant is a minimum of 60,000 sf.	1 space: 200 sf G.F.A. 1 space: 300 sf G.F.A.	1 bicycle: 20 vehicle spaces 1 motorcycle: 10 vehicle 1 large vehicle: 10 vehicles
Hotels, Motels, and Bed & Breakfast	1 space: room plus ancillary use requirements	1 motorcycle: 20 vehicle 1 large vehicle: 10 vehicles
Restaurants, Bars & Cocktail Lounges	1 space: 75 sf G.F.A. and outdoor seating area	1 motorcycle: 10 vehicle
Restaurants with drive-through facilities	1 space: 100 sf G.F.A.	1 bicycle: 20 vehicle spaces 1 motorcycle: 10 vehicle spaces 1 large vehicle: 10 vehicle
Mortuary/Funeral Home	1 space: 75 sf G.F.A. used for public assembly	N/A
General auto repair, car wash, service station, lube shops	1 space: 375 sf G.F.A. display plus 1 space: employee	1 motorcycle: 10 vehicle
Outdoor Sales: plant nursery, building supplies, RV & boat sales, and automobile sales	1 space: 375 sf G.F.A. display plus 1 space: employee	N/A
Swamp Meet, Farmers Market	1 space: 100 sf G.F.A. sales area	1 bicycle: 20 vehicle spaces

LAND USE	REQUIRED VEHICLE PARKING	RECOMMENDED SPECIAL PARKING
Industrial Uses		
Manufacturing, Assembly, Production	1 space: 600 sf G.F.A.	1 motorcycle: 20 vehicle

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Wholesale Sales, Warehouse & Freight Movement	1 space: 900 sf G.F.A.	1 motorcycle: 20 vehicle
Waste Related Uses	1 space: employee	1 motorcycle: 20 vehicle
Mini-warehouse/self storage facility	4 space plus 2 spaces for manager's quarter	N/A

Sec. 2104 *PARKING SPACE/MANEUVERING DIMENSIONS*

- A. Large Vehicle Parking: Certain uses may be required to install large vehicle parking spaces for trucks, boat and recreational vehicles. Minimum dimension standards for large vehicle spaces shall be twelve (12) feet wide by forty-five (45) feet long. Said spaces shall be clearly marked for customer use.

- B. Disabled Parking: All off-street parking areas, other than for single residence uses, shall include reserved spaces for use by disabled persons. Disabled parking, which shall be subject to A.R.S. § 28-882 et. seq., shall be provided at a rate in compliance with the Building Code of the City of Maricopa, as adopted by Chapter 7 of the City Code. Notwithstanding anything in the Building Code, minimum dimension standards for disabled parking shall be as follows:
 - 1. Single space: Sixteen (16) feet wide by twenty (20) feet long. The space shall be prominently striped at eleven (11) feet width of space plus a five (5) foot access aisle.
 - 2. Double space: Twenty-seven (27) feet wide by twenty (20) feet long. The space shall be striped at eleven (11) feet width of each space plus a five (5) foot access aisle between the spaces.

- C. Standard Parking: The standard parking space shall be a minimum of nine (9) feet wide by eighteen (18) feet long unless specified otherwise by this Ordinance.

- D. Parallel Parking: A parallel parking space shall be a minimum of nine (9) feet wide by twenty-two (22) feet long unless specified otherwise by this Ordinance.

- E. Motorcycle Parking: The standard parking space shall be a minimum of five (5) feet wide by nine (9) feet long and perpendicular to the street or drive aisle.

- F. Loading Space: There shall be provided on the same lot with each commercial building and industrial building or structure adequate space for off-street loading, unloading and the maneuvering of commercial vehicles. There shall be no loading or unloading of commercial vehicles on the public street. Off street maneuvering space shall be provided so that no backing onto or from a public street is required. The loading space shall be a minimum of twelve (12) feet wide by forty-five (45) feet long and a minimum of fourteen (14) feet in height. A reduced loading space dimension may be approved by the Zoning Administrator on a case-by-case basis.

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- G. Driveway and Aisle Dimensions: Every parking facility shall be provided with one or more access driveways. The minimum dimensional standards for driveways shall be as follows:
1. Commercial: The minimum width for one-way enter/exit and aisle shall be 12'. The minimum width for two-way enter/exit and aisle shall be 24'. Additional aisle width may be required depending upon the angle degree of the parking stalls.
 2. Industrial: The minimum width for one-way enter/exit and aisle shall be 16'. The minimum width for two-way enter/exit and aisle shall be 32'
- H. Loading docks, service bays, or service windows shall not front onto an arterial or collector roadway
- I. Applicants shall be required to differentiate on applications the different type of customer parking provided.
- J. Required parking spaces shall be permanently marked.

Sec. 2105

PARKING LOT LANDSCAPE REQUIREMENTS

- A. Amount Required. In parking lots, at least ten (10%) percent of the interior parking area shall be landscaped, exclusive of perimeter landscaping and frontage landscaping. For every eight (8) required parking spaces, or portion thereof, a minimum of one (1) tree and two (2) shrubs shall be provided within the interior of the parking area. Trees located in the interior of the parking area shall have a clear trunk of at least five (5) feet and shrubs located in the interior of the parking area a maximum height of three (3) feet for adequate visibility.
- B. Location. Landscape areas shall be located and designed in such a manner as to break up the expanse of the parking area, better define parking circulation, and provide shade and comfort. The required landscaping shall be located in protected areas such as along walkways, in centrally located protected islands, at the ends of parking aisles, or between parking spaces. Landscape areas should contain a minimum of twenty-five (25) square feet and should have a minimum width of five (5) feet.
- C. Irrigation of Parking Lot Landscaping. All right-of-way street frontage, perimeter and interior parking area landscaping shall be provided with a pressurized, underground irrigation system.
- D. Maintenance of Landscaping. The maintenance of all required landscaping, whether located on the property or within the adjoining right-of-way frontage shall be the responsibility of the property owner.

-----End of Article 21-----

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13. Article 22 of the Maricopa Zoning Code is hereby amended by repealing current Article 22 "Signs, Billboards, Name Plates, and Other Outdoor Advertising" in its entirety and replacing said Article with a new Article 22, entitled "Article 22 - Sign Provisions," (previously established as a public record by City of Maricopa Resolution 09-56).¹⁵

ARTICLE 22 - SIGN PROVISIONS

SEC. 2201 PURPOSE:

The purpose of this Article is to establish comprehensive provisions that will eliminate confusing, distracting and unsafe signs; establish reasonable regulations to promote economic vitality for local businesses and services; and enhance the visual environment of the City of Maricopa.

SEC. 2202 INTENT:

The intent of these provisions is to maximize establishment identification, minimize visual clutter, and maintain a high quality of signs throughout the City of Maricopa.

SEC. 2203 DEFINITIONS:

For the purpose of this Article the following words, terms and phrases shall have the following meanings and as may be prescribed in Article 4 of this Ordinance:

Animated sign: Any sign or part of a sign which changes physical position by any movement, rotation or undulation or by the movement of any light used in conjunction with a sign such as blinking, traveling, flashing or changing degree of intensity of any light movement other than burning continuously.

Awning or Canopy sign: A sign on a traditional canvas awning and/or a sign on the edge of a structural canopy that is otherwise permitted by this Ordinance.

Bandit sign: A sign that is temporary and made of cardboard or foam board which is mounted on angle iron or wooden stake.

Banner sign: A temporary sign of fabric, plastic, or other light pliable material not enclosed in a rigid frame.

Billboard: Same as "Off site sign".

Bulletin board: A sign which identifies a non commercial institution or organization, on site, which contains the name of the institution or organization and associated individuals, and general announcements of events or activities at the institution, or similar messages of general public interest.

Business sign: A sign that attracts attention to a business or profession conducted on site, or to a commodity or service sold, offered or manufactured on site, or to an entertainment offered on site.

Community sign: Are the "City of Maricopa Welcome Signs" and the integrated public service club(s) sign.

Community facilities: Include, but are not limited to government buildings, libraries, hospitals, local businesses, parks, and historic sites.

¹⁵

Amended by Ordinance 09-08 Adopted October 20, 2009

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Comprehensive sign plan: A sign plan submitted under the guidelines of Section 2208(E), intended to provide for the establishment of signage criteria that are tailored to a specific development location, and which may vary from specific Ordinance provisions.

Construction sign: A temporary sign, limited to the period of construction, erected on a premises of an existing construction project, and designating the architect, contractor, designer, engineer, financier, or name and nature of the project.

Directional sign: Signs limited to directional messages, which do not contain identification or advertising copy, which aid the flow of pedestrian and vehicular traffic as well as providing directional information relating to points of interest, institutions, facilities and districts.

Directory sign: A sign listing the names, uses, and/or locations of the various businesses or tenants within a building or a multi-tenant development, but not for the purpose of advertising products, goods, or services.

Fascia sign: A sign permanently affixed to a horizontal piece covering the joint between the top of a building wall and the projecting eaves of a roof.

Fixed balloon: Any air or gas filled inflatable object ground mounted or attached by a tether to a fixed place.

Freestanding monument sign: An identification sign on its own self-supporting permanent structure, detached from supportive elements of a building on a base which has an aggregate width of at least fifty (50%) percent of the width of the sign and shall include the street address.

Garage sale sign: A temporary sign advertising a temporary garage sale. Refer to regulations in Section 2206(J).

Gasoline fuel price sign: A changeable copy sign advertising gasoline fuel prices only.

Identification sign: A sign that includes, as copy, only the name of the business, place, facility, organization, building, or person it identifies and shall include the street address which shall be positioned on the side of the building that it is addressed from.

Illuminated sign: A sign with the surface artificially lighted; either internally or externally. If externally illuminated the fixture shall be fully shielded and directed downward.

Interior display sign: Any poster, cut-out letters, painted text or graphic or other text or visual presentation placed with one (1) foot behind a window pane, and is placed to be read from the exterior of a building. This does include any item of merchandise normally displayed within a show window of a merchant.

Kiosk sign: A city-provided, informational sign providing directional information to single family and multi-family residential developments, commercial developments, local businesses, not-for-profit agencies, and community facilities.

Marquee sign: A sign that is usually defined as any movie-type marquee with changeable copy. Marquee signs are considered permanent signs. A marquee is defined as a permanent canopy structure constructed of rigid materials that are attached to and supported by the building and that projects over the entrance to a building.

Menu board sign: A sign displaying the bill of fare of a restaurant.

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Nameplate sign: A sign that identifies a resident's or home's name and address or the name of a farm, ranch, or commercial ranch. Such signs may be shingle, building, wall, or archway- mounted signs.

Nonconforming sign: A sign lawfully erected and maintained prior to the adoption of this Ordinance that does not conform with the requirements of this Ordinance.

Off site sign: A sign located outside the legal description of the property that directs attention for a commercial purpose to a business, commodity, service, entertainment, product or attraction that is not sold, offered, or existing on the property where the sign is located.

On site sign: A sign which is either constructed or approved by the property owner that is located within the legal description of the property.

Open house directional sign: A sign used to advertise the sale of a house and direct traffic to the house for sale.

Pole sign: A sign that is supported by a pole and otherwise separated from the ground by air. Such as monument signs, pole signs are separate from a building.

Political sign: A temporary sign which supports any candidate for public office or urges action for or against any other matter on the ballot of primary, general, or special elections.

Portable sign: A temporary sign not affixed to a structure or ground mounted on a site. It rests on the ground and consists of two sign faces, i.e. but not limited to A-frame signs.

Projecting sign: A sign attached to a building or other structure and extending in whole or in part more than fourteen (14) inches beyond the building or other structure.

Reader panel sign: A sign designed to permit immediate change of copy using individual letters, such as electronic or digital in nature. The use of an electronic/digital panel sign is prohibited in Residential Zoning Districts and only allowed in Commercial and Industrial Zoning Districts.

Real estate sign: A sign advertising for sale, lease, auction or rent of the property or building upon which it is located.

Right-of-way: The right of passage over the property of another.

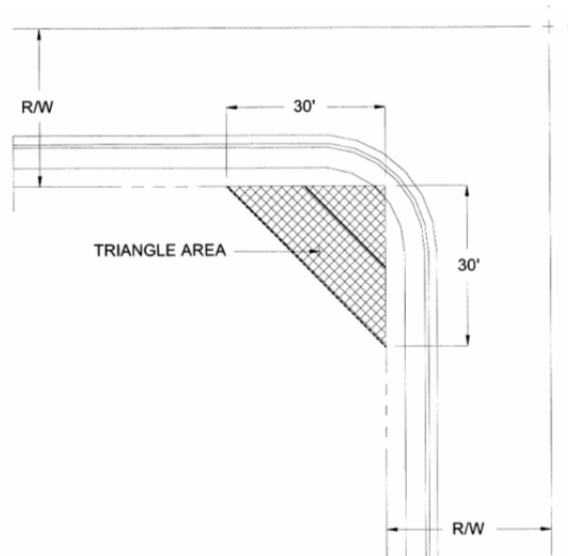
Roof sign: A sign erected on, above, or over the roof of a building so that it projects above the highest point of the roofline, parapet, or fascia.

Under canopy sign: A sign suspended from, and located entirely under a covered porch, covered walkway, or an awning and is anchored or rigidly hung to prevent the sign from swinging due to wind movement.

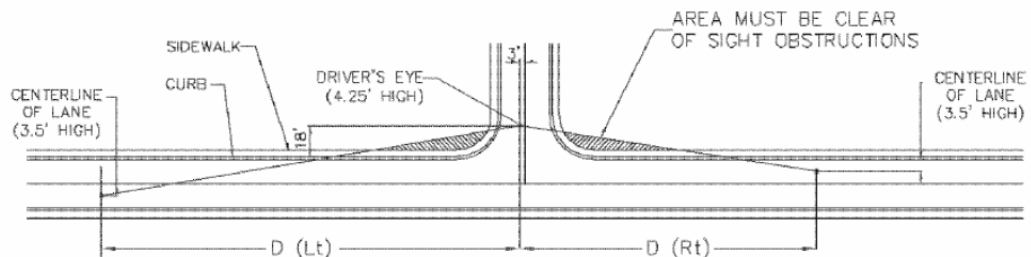
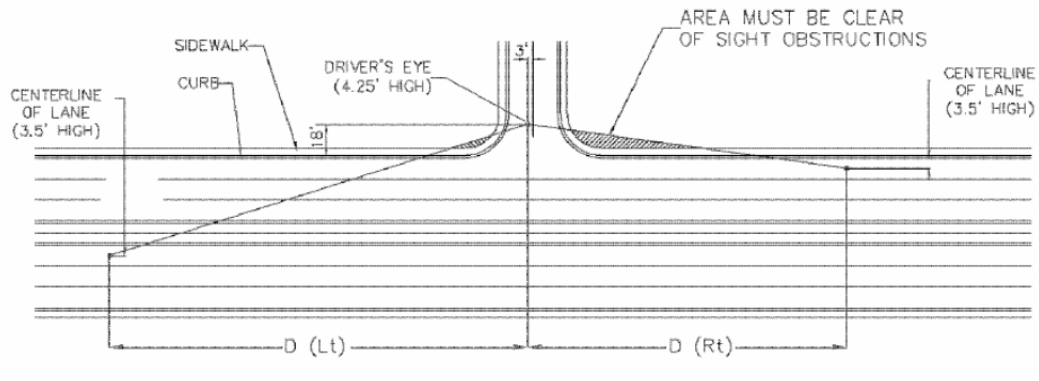
Sight visibility triangle: The area of visibility on a street corner to allow for safe operations of vehicles, pedestrians, and cyclists in the proximity of intersecting streets, rail lines, sidewalks, and bicycle paths. Please see below for sight visibility restrictions.

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For corners:



For driveways:



TRAFFIC SPEED (MPH)	20	25	30	35	40	45	50	55	60
D (Lt)	225	280	335	390	445	500	555	610	665
D (Rt)	195	240	290	335	385	430	480	530	575

PER AASHTO - 2001

Sign: Any object, display, structure, or device (copy: including but not limited to letters, words, numerals, figures, symbols, pictures, outline, character, color, illumination, trademark, logo, or any part or combination) used for visual communication which is intended to attract the attention of the public by providing identification, advertising or directional information for a specific business, service, product, person, organization, place or building and is visible from the public rights-of-way or other properties i.e. wall signs, under canopy signs, single business monument sign, individual sign panel on a multi-tenant

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monument sign, (which may require structural permit from the Building Safety Division) temporary banner, portable signs, etc.

The term "sign" shall also mean and include any display of one or more of the following; single or multiple colored bands, stripes, patterns, trademark, logo, outlines or delineations displayed for the purpose of commercial identification or attraction.

The term "sign" shall not include any national or state flags, window displays, athletic score boards or the official announcement or signs of government.

Sign walker: A person, who wears, holds or balances a sign that conveys a commercial message, including a costume sign.

Special sign permit: A sign that is otherwise prohibited in this Ordinance yet is approved by the Planning and Zoning Commission.

Temporary sales event: Any temporary promotional sign used to advertise special sales, new products or services, or promotions of a business, and may include but not limited to A-frames, balloons, banners, flags, and pennants.

Temporary sign: A sign of a non permanent nature advertising a special event, sale, product or service.

Vehicle sign: A sign mounted, painted or otherwise placed on a trailer, truck, automobile or other vehicle so parked or placed so that the sign thereon is visible from a highway, public street or right-of-way and is so parked primarily for the purpose of displaying advertising signage.

Wall sign: A sign fastened to or painted on the exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign.

Window sign: A permanent sign affixed to the exterior of a window so as to attract the attention of persons outside the building.

SEC. 2204 GENERAL SIGN REGULATIONS:

- A. The regulations, requirements, and provisions set forth in this Article shall apply to all signs erected, placed, or constructed within the City of Maricopa. This includes all signage in an approved Comprehensive Sign Plan, wall signs, under canopy signs, monument signs, individual sign panel on a multi-tenant monument sign, (which may require a structural permit from the Building Safety Division) temporary banners and as deemed necessary by the Zoning Administrator or his/her designee.
 1. Sign permits and a zoning clearance shall be required for all signs except those signs specified in Section 2210. The City of Maricopa sign permit number shall be affixed to the sign. The City of Maricopa shall issue a sign permit only if the proposed sign, construction, alteration, re-erection, maintenance and location of the sign comply with these regulations.
 2. All signs shall be structurally designed, constructed, erected and maintained in accordance with all applicable provisions and requirements of the City of Maricopa adopted codes and Ordinances.
 3. All signs and sign structures, conforming and nonconforming, shall be maintained in good order, repair, and appearance at all times so as not to constitute a danger or hazard to the public safety or create visual blight as determined by the Zoning Administrator.

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4. Signs shall not be located in a manner that interferes with pedestrian or vehicular travel, or poses a hazard to either pedestrians or vehicles, or within the specified sight visibility triangle.
 5. Signs shall not be located within or projecting over any public street, right-of-way, or other public property, except for City of Maricopa approved kiosk sign structures, under canopy signs and projecting signs as permitted by this Ordinance. The City of Maricopa may install signs on its own property to identify public buildings and uses, to provide necessary traffic control and directional information.
 6. Signs directly facing residential districts shall not be illuminated.
 7. The source of the sign's illumination, except neon illumination, shall not be visible from any street, sidewalk, or adjacent property. This shall not preclude the use of neon sign elements that shall be limited to use within the Commercial Zoning Districts only.
 8. There shall be no visible angle iron supports, guy wires, braces or secondary supports except in the case of under canopy signs. All sign supports shall be an integral part of the sign design.
 9. Where there is a conflict between these regulations and other City of Maricopa regulations or a Comprehensive Sign Plan the more restrictive shall apply.
 10. Signage within approved Planned Area Developments or Master Planned Developments (residential or non-residential) may deviate only from the requirements governing the total aggregate sign area and sign dimensional requirements of this article provided the PAD or MPD has an approved Comprehensive Sign Plan, and all proposed signage within the PAD or MPD is in compliance with an approved Comprehensive Sign Plan.
 11. Signs and/or banners shall not be placed in such a manner that they obstruct city required informational, traffic or safety signs.
 12. The overall building height is inclusive of any signs projecting above the building or roofline.
 13. The Planning and Zoning Commission shall have the authority to review and recommend issuance of a Special Sign Permit for signs which are designed into and are part of an integrated architectural feature of a building where the provisions of this Ordinance would otherwise prohibit such signs. In making such findings, the Commission shall determine that the overall signage in such a request shall not undermine the sign area and height standards provided in this Ordinance. Final approval of such request for said Special Sign Permit shall be made by the Planning and Zoning Commission.
 14. All lighting for signage shall be in conformance with the adopted City of Maricopa codes.
- B. **"Sign Area"** is defined and shall be measured as follows:
1. Sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as that area within the outside dimensions of the background panel or surface. The base of a freestanding monument sign shall not be calculated as sign area unless said base contains signage (see definition of a sign).
 2. Sign copy mounted as individual letters and/or graphics against a wall, fascia, or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest rectangle that will enclose each word, grouping of such letters, words, or graphics in the total sign copy.

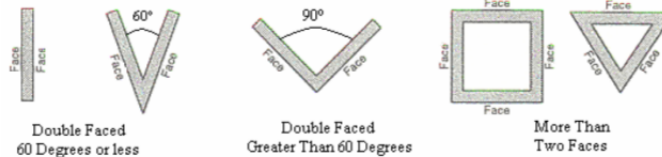
ZONING CODE



SIGN AREA

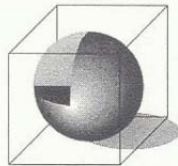
3. Multi-face signs shall be measured as follows:
- A double faced sign shall be considered as one (1) sign when determining the sign area, provided both faces are parallel and the distance between faces does not exceed two (2) feet or the interior angle between the two (2) sign faces is forty-five (45) degrees or less. If the interior angle is greater than forty-five (45) degrees, the sign area shall be the sum of the area of the two (2) faces and shall be considered as two (2) signs.
 - Where a sign has three (3) or more faces the area of the sign shall be calculated as the total sum of the area of all faces and shall be considered as three (3) signs.

Top Views



MULTI-FACE SIGNS

- Where a sign is a spherical, free-form, sculptural or other non-planar sign the sign area shall be fifty (50%) percent of the sum of the area of the sides of the smallest polygon that will encompass the sign structure.



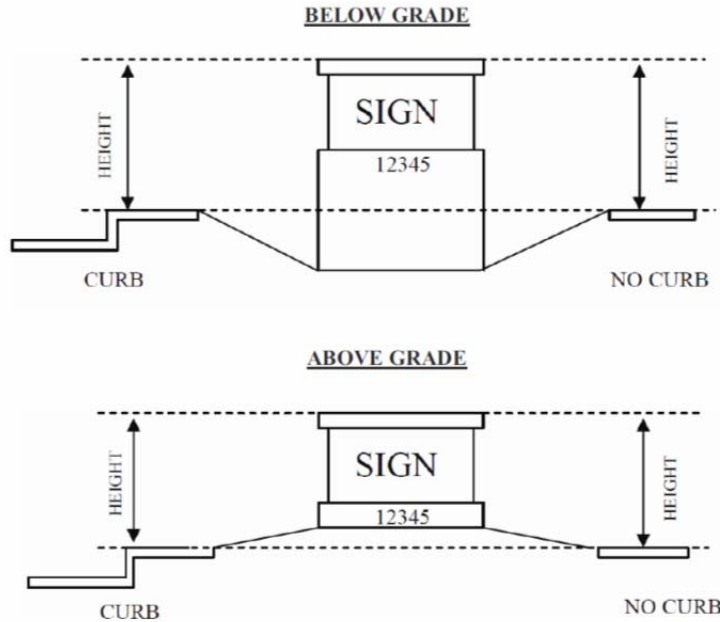
NON-PLANAR SIGNS

4. The aggregate sign area for all signs on a lot or parcel shall be the sum of the areas of all the signs except, the area for the following:
- Directional signs, assisting in the flow of traffic, which do not exceed an area of three (3) square feet or a height of three (3) feet and do not include advertising or logos.
 - Street address wall signs, which do not exceed an area of two (2) square feet.
 - Signs necessary for safety, which do not exceed an area of two (2) square feet or height of three (3) feet.
 - For sale, lease or rent signs.

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C. **“Sign Height”** is defined and shall be measured as follows.

1. The height of a freestanding monument sign shall be measured as the vertical distance from the top of the highest element of the sign or sign structure to the top of the curb or sidewalk, or the street grade of the nearest adjacent roadway where no curb exists. The height of any monument base or other structure erected to support or ornament the sign, above curb, sidewalk or street grade, shall be measured as part of the sign height.



2. Wall or fascia sign height shall be measured as the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.

SEC. 2205 PERMITTED PERMANENT SIGNS:

- A. **“Residential Districts”**: For all signs within the residential Zoning Districts (including single and multi-family) the following shall apply. Additionally, any residential district that has an approved PAD or MPD may apply for a Comprehensive Sign Plan. Refer to Section 2208(E).

1. Single Residence Uses:

- a. May be illuminated or non-illuminated.
- b. Two (2) nameplate signs may be permitted per lot or parcel.
- c. Within the “CR-1A”, “CR-1”, “CR-2”, “CR-3”, “CR-4”, and “CR-5” Zoning Districts a total aggregate area of four (4) square feet may be permitted.
- d. Within the “CAR”, “SR”, “SR-1”, “SH”, “GR”, “GR-5”, and “GR-10” Zoning Districts a total aggregate area of twelve (12) square feet may be permitted.

2. Multi-Family Uses:

- a. Within the “CR-4”, “CR-5”, and “TR” Zoning Districts.
- b. One (1) nameplate sign may be permitted per unit.

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- c. Nameplate sign area shall not exceed a total aggregate area of two (2) square feet.
 - d. Building number or letter signs for multiple building developments shall be in compliance with Fire Department requirements and shall not be counted as part of the aggregate sign area.
 - e. A maximum of two (2) freestanding monument identification signs with an aggregate area of twenty-four (24) square feet may be permitted per development. The maximum height shall be five (5) feet. Signs should be located near the main entrance(s) and may include only the name of the development and the street address.
3. **Non-residential Uses:** Examples of non-residential uses in a residential zone include, but are not limited to, assembly uses, schools, public buildings, assisted living facilities (with more than five (5) persons receiving care) and farms; but do not include home occupations.
- a. One (1) wall mounted sign per lot or parcel not exceeding thirty-two (32) square feet in area shall be permitted. The sign may include only the name of the facility, organization or development and the street address.
 - b. Additionally, any complex/single building development in excess of 15,000 square feet (gross floor area) may submit a Comprehensive Sign Plan to be reviewed and approved by the City of Maricopa. Refer to Section 2208(E).
 - c. One (1) freestanding monument sign per lot, not exceeding thirty-two (32) square feet in area nor a height of five (5) feet, may be permitted. The sign may include only the name of the facility, organization or development and shall include the street address.
4. **Subdivision Entry/Identification Signs:**
- a. A wall or monument sign may be permitted at no more than two (2) of the entryway(s) of a subdivision. The signage shall be integrated to complement the streetscape and landscaping frontages. A maximum aggregate area of no more than forty-eight (48) square feet per subdivision nor more than one sign on each side of the entry, if wall mounted, may be permitted. Backlit signs are preferred; using external spot lights to light signage is strongly discouraged. All lighting shall be in conformance with the adopted City of Maricopa codes.
 - b. The maximum height shall be five (5) feet. The sign copy may include only the name of the development and the street address.
5. **Reader Panel Signs:**
- a. Assembly uses may use up to one-half ($\frac{1}{2}$) of the allowed freestanding monument sign area for a reader panel.
6. **Total Signage:**
- a. Single Residential Uses: Maximum of two (2) nameplate signs per lot or parcel may be permitted.
 - b. Multi-Family Uses: Only one (1) nameplate sign per individual unit or dwelling may be permitted. A maximum of two (2) freestanding monument signs per development may be permitted.

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- c. Non-Residential Uses: Maximum of two (2) signs per lot or parcel may be permitted. If located on a corner lot a maximum of two (2) wall signs, one (1) per public street frontage, and one (1) monument sign may be permitted.

B. **“Commercial and Industrial Districts”**: For all signs within the Commercial and Industrial Zoning Districts of “TR”, “CB-1”, “CB-2”, “CI-B”, “CI-1”, and “CI-2”, the following regulations shall apply. Additionally, any complex of two (2) or more businesses or any single building development in excess of 5,000 square feet (gross floor area) may submit a Comprehensive Sign Plan and any single building development in excess of 25,000 square feet shall be required to submit a Comprehensive Sign Plan to be reviewed and approved by the City of Maricopa.

1. **Wall or Building Signage:**

- a. The sign area for any one (1) business or individual tenant shall not exceed one and a half (1 ½) square foot for each two (2) linear feet of street or store frontage with the maximum not to exceed thirty-two (32) square feet.
- b. Single buildings/businesses with less than 25,000 square feet (gross floor area) are allowed one (1) wall or building sign per business.
- c. Single buildings/businesses with two (2) street frontages are allowed one (1) wall sign per street frontage.
- d. Signage shall not extend horizontally a distance greater than fifty (50%) percent of the width of the building wall on which it is displayed.

2. **Freestanding or Monument Signage:**

- a. One (1) freestanding identification sign shall be permitted per development and may include only the name of the business and shall include the address.
- b. The sign shall not exceed six (6) feet in height.
- c. For a single tenant building the sign area shall not exceed one and a half (1 ½) square foot for each two (2) lineal feet of street frontage with the maximum not to exceed thirty-two (32) square feet.
- d. If street frontage is not available then the allowable sign area may be based on the lineal foot of store frontage at a ratio of one (1) square foot of signage for each five (5) linear feet of store frontage.
- e. For multiple building developments or commercial centers one (1) sign may be permitted for every three hundred thirty (330) feet of street frontage for the entire development with a maximum of two (2) signs per street frontage if applicable. The individual buildings within the development and/or the pad sites within the commercial center shall not be considered as separate developments. The minimum distance between two (2) signs on the same street frontage shall be three hundred thirty (330) feet. Each sign may be a maximum of forty-eight (48) square feet in area and may be either a center identification sign or a multi-tenant identification sign.

3. **Directory & Directional Signs:**

- a. One (1) directory sign per complex entrance may be used when useful to identify the location of various buildings, offices or businesses within a complex. A directory sign may be internally illuminated, externally illuminated or non-illuminated and have a

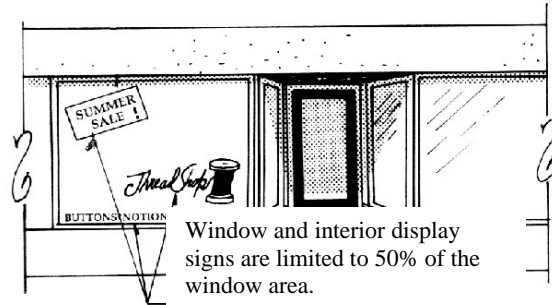
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maximum area of six (6) square feet and a maximum height of six (6) feet and shall not be included in calculating the total aggregate area for signage allowed on a parcel or lot or for a particular business.

- b. One (1) directional sign may be used for each entrance and exit to or from a parking area or drive-thru lane provided that the sign is limited to three (3) square feet in area and four (4) feet in height. A directional sign may be double faced and shall contain no business identification, advertising copy, or logo.

4. Window and Interior Display Signage:

- a. The total aggregate area of all window and interior display signs shall not exceed fifty (50) percent of the total area of the windows through which they are visible.



Window and interior display signs are limited to 50% of the window area.

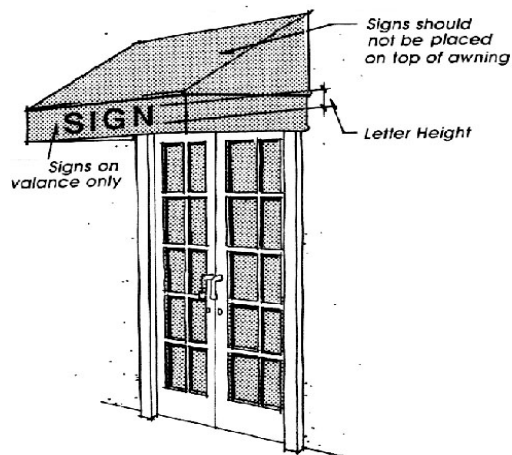
25% of the window area.

5. Flags:

- a. Flag poles shall not exceed eighty (80) feet in height, measured from the top of grade to top of pole.
- b. No more than one (1) United States, one (1) State of Arizona, one (1) foreign national flag or one (1) corporate flag shall be flown on any one site with a maximum of three (3) poles per site.
- c. Any flag flown in conjunction with the United States or State of Arizona flag shall be flown beneath them and shall not exceed them in size.
- d. United States and State of Arizona flags shall be maintained with flag etiquette.

6. Awning Signs:

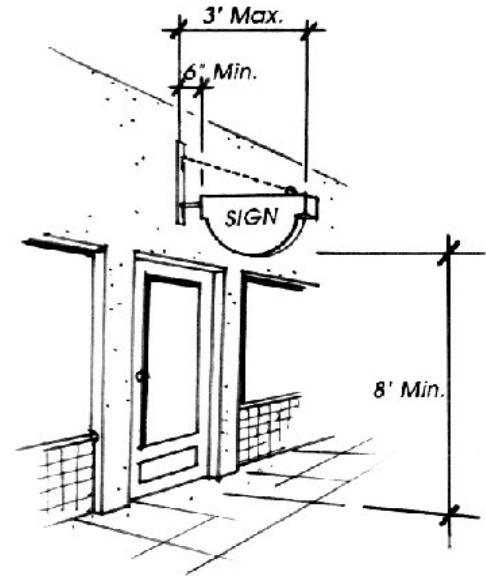
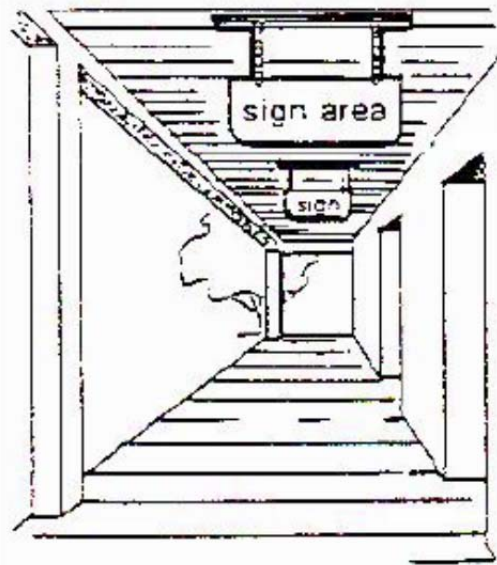
- a. A maximum of twenty-five (25) percent of the front face area of the awning may be used for signage.
- b. Signage shall be specific to the tenant.



7. Under Canopy Signs and Projecting Signs:

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- a. One (1) under canopy sign or projecting sign which is designed and oriented primarily for the aid of pedestrians may be allowed per primary business and shall be located immediately adjacent to the business it identifies.
- b. Shall have an eight (8) foot minimum clearance between the bottom of the sign and the sidewalk.



- c. Projecting and under canopy signs shall not project less than six (6) inches nor more than three (3) feet from the building wall or building face.
- d. Under canopy signs shall have a maximum area of three (3) square feet.
- e. Projecting signs for each ground floor business, on a street, shall not exceed one (1) square foot for each linear street frontage of business, up to a maximum of fifteen (15) square feet.
- f. Sign shall be specific to the primary tenant.
- g. A wall or fascia sign is not permitted if a projecting sign is used to identify the business on the same wall.

8. Menu Boards:

- a. Each drive-through lane and/or drive-in restaurant may be permitted one (1) preview board and one (1) ordering menu board. These boards may be freestanding or wall-mounted; located not less than forty-five (45) feet from the street property line and the front of the board shall not be visible from the public street.
- b. Maximum sign area shall not exceed forty-eight (48) square feet and shall not be included in calculating the total aggregate area for signage allowed on a parcel or lot or for a particular business.
- c. The sign shall not exceed six (6) feet in height.

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- d. Menu boards fronting roadways shall be screened with a decorative wall and/or landscaping.

9. **Price Signs and Canopy Signs: (For gasoline service stations only)**

- a. One freestanding sign per street frontage on which the service station has frontage; but not including freeway or interstate frontage.
- b. Maximum sign area for a price sign shall not exceed twelve (12) square feet.
- c. Maximum sign height for a freestanding sign shall not exceed six (6) feet. (see “sign height” definition)
- d. One (1) canopy sign per street frontage.
- e. Maximum sign area of canopy sign shall not exceed twelve (12) square feet per sign.
- f. Price sign can not be located on the canopy or building.

10. **Total Signage:**

- a. The combination of all of the above types and styles of allowed signage shall be included in calculating the total aggregate sign area; except where specifically excluded or otherwise exempted by this Ordinance. For corner buildings or developments only the main entrance frontage shall be measured when determining the allowable signage.
- b. The combined total aggregate sign area of all signs for any one (1) business in the “TR” and “CB-1” Zoning Districts shall not exceed seventy-five (75) square feet.
- c. The combined total aggregate sign area of all signs for any one (1) business in “CI-B”, “CI-1”, and “CI-2” Zoning Districts shall not exceed eighty (80) square feet.
- d. The combined total aggregate sign area of all signs for any one (1) business in the “CB-2” Zoning District shall not exceed one-hundred (100) square feet.

C. **“Parks and Open Space District”:** For all signs within the “Open Space District” – “OS” or “Public Parks”, the following shall apply:

1. **Wall Sign:**

- a. One (1) wall mounted sign per lot or parcel not exceeding six (6) square feet in area may be permitted. The sign may include only the name of the facility or development and the street address.

2. **Freestanding Sign:**

- a. One (1) freestanding sign per entrance not exceeding twelve (12) square feet in area nor a height of five (5) feet may be permitted. The sign may include only the name of the facility or development and shall include the street address.

3. **Directional or Informational Signage:**

- a. Signs shall be non-illuminated.

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- b. Signs shall not exceed twelve (12) square feet in area or six (6) feet in height.

4. **Scoreboards:**

- a. No advertising shall be affixed to the rear of the scoreboard directly facing a road way or residential Zoning Districts.

5. **Banners:**

- a. Sign shall be one sided and may only be displayed on park fences facing internal to the park.

D. **“Government Signage”:** For all City of Maricopa Facilities (City of Maricopa Facilities include but are not limited to City Hall, Libraries, Fire Stations, Community Centers, Police Stations, City Parks etc.) The following regulations shall apply.

1. **Wall or Building Signage:**

- a. Sign shall not exceed one and a half (1 ½) square foot for each two (2) linear feet of street or building frontage with the maximum not to exceed thirty-two (32) square feet.
- b. Signage shall not extend horizontally a distance greater than fifty (50%) percent of the width of the building wall on which it is displayed.
- c. Only one (1) wall or building sign per facility.
- d. City of Maricopa may submit a Comprehensive Sign Plan. Refer to Section 2208(E).

2. **Freestanding or Monument Signage:**

- a. One (1) freestanding identification sign shall be permitted per city facility and may include only the name of the facility and the address.
- b. The sign shall not exceed six (6) feet in height.

SEC. 2206 TEMPORARY SIGNS:

A. **“Banners Pennants and Displays for Grand Openings”:**

- 1. For home builder signs please refer to Section 2206(G).
- 2. Banners, pennants, and other promotional displays (A-frames, balloons, banners, flags, etc) for temporary sales events may be permitted within the Commercial, Residential, Multi-Family and Industrial Zoning Districts. A business may request such signs and displays a maximum of eight (8) times per year for a maximum period of thirty (30) consecutive days on each occasion. A minimum of fourteen (14) days shall pass between each such display. Such signs and displays shall be removed immediately upon termination of the sale that they advertise or after the thirty (30) day period, whichever occurs first. Special requests for temporary sales event shall be submitted for review and approval by the Zoning Administrator or his/her designee.
- 3. Written approval must be obtained, from the Zoning Administrator, or his/her designee, prior to the installation of any temporary sales event or grand opening banners, pennants, signs, balloon, or other promotional displays.

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4. Banners and pennants shall be displayed only on the building and not within the parking area, perimeter landscape, or some other area of the development.
5. The maximum banner size shall be four (4) feet by eight (8) feet or thirty-two (32) square feet and shall be limited to one (1) per street frontage for the business.
6. No pennant, banner or promotional display shall be placed on or above the roof of any building.
7. Promotional displays shall be located on the premises to which they pertain and shall not be placed in the public right-of-way or attached to any street light, traffic signal pole, or utility pole.
8. Promotional displays in forms of balloons shall be subject to the following safety standards:
 - a. Balloons shall be securely fastened.
 - b. Balloons shall not project above the building roofline.
 - c. Balloons shall not project no more than fifteen (15) feet above grade when a building is not present.
9. New Business Identification Banners:
 - a. Allowed from the date of issuance of a Certificate of Occupancy for the business until the date of the installation of a permanent sign.
 - b. Interim banners shall not exceed thirty-two (32) square feet and be placed upon the building wall of the business.
 - c. Allowed to be displayed for a period of ninety days (90) with a renewal for an additional forty-five (45) days contingent upon the approval of a new permanent sign application.
 - d. All temporary signs shall be marked to show permit number and expiration date.

B. "Special Events":

1. Off-Site Event/Directional Signs:

- a. A sign plan shall be required in conjunction with the Special Event Permit. Said sign plan shall show the proposed location, placement, and size of all off-site event/directional signs.
- b. Directional signs shall be no greater than four (4) square feet and event signs shall be no greater than thirty-two (32) square feet. Said signs may be permitted within the City of Maricopa right-of-way, excluding medians, in accordance with the approved sign plan for an approved Special Event Permit and an approved Right-of-Way Permit.
- c. Directional signs may be placed twenty-four (24) hours prior to event and event signs may be placed five (5) days prior to the event or as specified in the approved Special Event Permit request and shall be removed within forty-eight (48) hours after the conclusion of the event.

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2. Banners and Promotional Signs:

- a. Banners shall be made of cloth, nylon, or similar material.
- b. Banners may be fastened to streetlights that are specifically designed to accommodate banners. Such banners may advertise a city-authorized special event or a community wide event or a community message but not for individual businesses.
- c. Banners shall be placed five (5) days prior to the event or as specified in the approved Special Event Permit request and shall be removed within forty-eight (48) hours after the conclusion of the event.
- d. All banners shall be reviewed and approved by the Zoning Administrator or his/her designee.



C. "Political Signs":¹

1. Political signs are permitted in all zones.
2. In accordance with A.R.S. § 16-1019, political signs shall not be displayed earlier than sixty (60) days prior to an election and shall be removed fifteen (15) calendar days after the specific election to which they refer. (If a candidate is in a run-off election the sign may remain fifteen (15) calendar days after the completion of the run-off election).
3. In accordance with A.R.S. § 16-1019, political signs shall not be placed in any portion of the sight visibility triangle (see section 2203 for definition of sight visibility triangle) or right of ways (ROW) on state highways or routes, or overpasses over those state highways or routes
4. In accordance with A.R.S. § 16-1019, the total sign area permitted on any residentially-zoned lot or parcel is a maximum of sixteen (16) square feet.
5. Signs placed on any commercial or industrial property are allowed with the owner's permission. Signs shall not be higher than five (5) feet in height and shall be setback seven (7) feet from the edge of any city street, pavement or sidewalk. In accordance with A.R.S. § 16-1019, the maximum area of any political sign in a non-residential zoned district shall be thirty two (32) square feet.
6. In accordance with A.R.S. § 16-1019, the sign shall contain the name and telephone number of the candidate or campaign committee contact person.
7. In accordance with A.R.S. § 16-1019, the sign shall support or oppose a candidate for public office or support or oppose a ballot measure.
8. In accordance with A.R.S. § 16-1019, signs shall not be placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the American with Disabilities Act (42 United States Code section 12101 through 12213 and 47 United States Code sections 225 and 611).
9. All other requirements shall adhere to A.R.S. § 16-1019, as may be amended from time to time.

¹ Amended by Ordinance 11-12 on 10/04/2011

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D. **“Real Estate Signs”**: Signs advertising the sale, auction, and lease or renting of a building, suite, dwelling or lot shall conform to the following regulations and are exempt from the total aggregate sign area.

1. Real estate signs are permitted in all zones.
2. In single residential Zoning Districts one (1) non-illuminated sign, located on the subject property, shall be permitted. Said sign shall not exceed six (6) square feet in area or six (6) feet in height and such signage shall be displayed upon the street frontage of subject property.
3. For multi-family developments the real estate signs shall be placed at the dwelling unit.
4. In Commercial Zoning Districts one (1), non-illuminated sign, located on the subject property, shall be permitted. Said sign shall not exceed twelve (12) square feet in area or six (6) feet in height.
5. A maximum of four (4) “Open House,” “Auction,” directional signs, including any such sign on the property of the home for sale, may be posted for each home not within the public right-of-way. Each sign shall have a maximum height of three (3) feet. The signs may be posted only when a sales person is on duty at the home and for no longer than twelve (12) hours during any twenty-four (24) hour period.
6. Not allowed in sight visibility triangle.
7. All real estate signs shall be removed upon closing of the sale.

E. **“Future Development Signs”**:

1. Future developments signs are allowed in all Zoning Districts and are allowed one (1) construction sign to be posted on the lot or parcel.
2. One (1) future development sign may be posted on a lot or parcel, indicating only the name of the future business/development and the leasing information, only after the land is in escrow. The sign shall have a maximum area of thirty-two (32) square feet, however when development exceeds ten (10) acres in size the sign(s) may be increased four (4) square feet for each additional 10 acres, not to exceed ninety-six (96) square feet and a maximum height of six (6) feet. If the development is located on a corner lot or parcel then two (2) signs of the dimensions outlined above may be permitted. A letter from the property owner will be required that states the land is in escrow, giving permission for the posting of the future development sign, outlines the maintenance responsibilities and the parties responsible for the removal of the sign after the required sign permit has expired. The sign shall be limited to one (1) year with the ability to renew for one (1) additional year.
3. In all cases, such signs shall be removed within ten (10) days following the first issuance of a Certificate of Occupancy for the project.

F. **“Architect, Contractor and Subcontractor signs”**:

1. One (1) non-illuminated sign is allowed per contractor or subcontractor. Sign shall not exceed thirty-two (32) square feet in area and a maximum height of six (6) feet in height.
2. Said signs shall be removed within (10) days after the function of the contractor or subcontractor on the property is complete.

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- G. **“Builder Sign Plan”**: A builder sign plan is required for each residential development prior to any Certificate of Occupancy being issued for a temporary use permit for sales trailer/model home complex. The following shall apply for the builder’s sign plan.
1. A sign permit for a builder sign plan is valid for one (1) year from the date of issuance. A builder sign plan may be renewed annually upon formal application to the City of Maricopa.
 2. All signs permitted per the builder sign plan shall be removed upon the expiration of the Temporary Use Permit.
 3. On site signage shall mean the lot(s) for the specific Temporary Use Permit. A maximum of two-hundred-forty (240) square feet of on site signage is permitted for each builder in a recorded subdivision plat. Sign area includes all on site signage including builder/real estate, model home complex signs, welcome signs, banners, awnings, and residential builder attention flags. All signs less than thirty-two (32) square feet shall be set back a minimum of ten (10) feet from the front yard lot line and shall not encroach upon sight visibility triangle. The height of any sign shall be a maximum of twelve (12) feet.
 4. No more than two (2) directional builder signs shall be allowed and no larger than ninety-six (96) square feet of sign area. Builder signs shall be limited to twelve (12) feet in height and shall be set back a minimum of ten (10) feet from the right-of-way.
 5. Residential builder attention flags are permitted, not to exceed fifteen (15) feet in height. Flags shall be spaced a minimum of forty (40) feet apart and shall be set back a minimum of five (5) feet behind the right-of-way. Maximum of three (3) flag poles allowed per lot in the Temporary Use Permit. Each flag shall have a maximum area of twelve (12) square feet may contain lettering or logo and may not be higher than fifteen (15) feet above grade.
 6. No more than one (1) flag pole for either the State of Arizona or the United States of America flag may be placed per Temporary Use Permit. Flag poles shall be limited to eighty (80) feet in height. Any flag flown in conjunction with the United States or State of Arizona flag shall be flown beneath them and shall not exceed them in size.
 7. No builder signage shall be allowed to be placed outside the recorded subdivision in which the builder is located.
- H. **“Sign Walkers”**: means a person who wears, holds or balances a sign.
1. Sign walkers shall be located thirty (30) feet from a street or driveway intersection measured from the back of the curb or edge of pavement if no curb exists.
 2. Once thirty (30) feet from the street or driveway intersection, the sign walker must stand at least five (5) feet back from the roadway, measured from the back of curb or edge of pavement if no curb exists.
 3. Sign walkers must maintain a minimum distance of twenty (20) feet from any other sign walker.
 4. Signs held by sign walkers must be held, worn or balanced at all times. At no time is a sign walker allowed to toss or throw their sign.
 5. Sign walkers shall allow a minimum distance of four (4) feet for pedestrian passage on all sidewalks and walkways.

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6. The following elements are prohibited for use on the signs held by sign walkers and on costume signs:
 - a. Any form of illumination, including flashing, blinking, or rotating lights.
 - b. Animation on the sign itself.
 - c. Mirrors or other reflective materials.
 - d. Attachments including, but not limited to balloons, ribbons and speakers.

I. **“Portable Signs”:**

1. Portable signs shall be allowed only in the “CB-1”, “CB-2”, “CI-1”, and “CI-2”, Zoning Districts. Signs shall be placed in a manner that does not impede or restrict vehicular, non-vehicular, or pedestrian traffic and with the property owner’s permission. No portable signs shall be allowed within the sight visibility triangle at driveways or corner intersections.
2. Portable signs shall not exceed three (3) feet in height or eight (8) square feet in area per side and shall not exceed one (1) sign per business.
3. Portable signs shall not be used for real estate sales.
4. Portable signs may be located a maximum of three hundred (300) feet away from the business though still within the development/property with property owner authorization, as allowed by the zoning as specified above and a minimum of seven (7) feet from the back of the curb, or edge of pavement where no curb exists.

J. **“Yard, Carport, or Garage Sale Signs”:**

1. Yard, carport, or garage sale signs shall be limited to residential Zoning Districts and shall not exceed four (4) square feet per residence. Such signs shall not be up longer than three (3) consecutive days.
2. Yard, carport, or garage sales shall be limited to no more than eight (8) sales events per calendar year.
3. One (1) temporary, unlighted, two-sided sign shall be allowed to be placed at the residence of the sale.
4. Up to four (4) directional signs may be placed for announcing the holding of a yard, carport, or garage sale and shall be allowed to be posted in the residential Zoning District
5. Signs cannot be placed on public sidewalks or within the sight visibility triangle. Signs may be placed a minimum of seven (7) feet from the back of the curb, or seven (7) feet from the edge of the pavement where no curb exists.
6. Yard, carport, or garage sale signs shall not be placed on: walls; utility poles and housings; traffic control poles or control panels; and mailboxes.
7. The property owner of the yard, carport, or garage sale event shall be responsible of noting the name and address on the back of each sign.

- K. **“Temporary Assembly Directional Signs”:** Temporary signs for assembly facilities shall be permitted subject to the following regulations.

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1. Signs shall be no greater than three (3) feet in height and eight (8) square feet in area.
2. No more than four (4) temporary directional signs shall be allowed.
3. Signs shall be placed on private property with consent of the property owner and no closer than seven (7) feet from the back of the curb, or edge of pavement where no curb exists.
4. Prohibited locations: sight visibility triangles, fences, boulders, planters, other signs, vehicles, utility facilities, or any structure.
5. Temporary directional signs may be placed no earlier than four (4) hours prior to the service/meeting and removed no later than two (2) hours after the service/meeting.

SEC. 2207 COMMUNITY KIOSK SIGNS:

- A. **“Kiosk Signs”:** Sign panels on a City of Maricopa approved kiosk structure may be authorized for the purpose of providing directional information for single family and multi-family residential developments, commercial developments, local businesses, not-for-profit agencies, and Community Facilities. Sign panels may be single or double faced. Maximum sign height for a single sign structure (kiosk) shall be twelve (12) feet.
 1. Sign panels shall be located on designated City of Maricopa kiosk structures within the public right-of-way, or, upon finding that such location will not permit adequate directional information, kiosk structures may be approved on private property (with a sign easement designating the City of Maricopa as a third party beneficiary) with the written permission of the property owner. Such permission shall include the consent of the property owners to allow the City of Maricopa, in the event of non-compliance, to enter said property and remove the sign. A kiosk location plan shall be prepared showing the site of each kiosk and shall be submitted to and approved by the Zoning Administrator or his/her designee, prior to the acceptance of a sign permit application.
 2. Each City of Maricopa kiosk sign panel may contain only the name of the subdivision or builder or new multi-family development, commercial development, local businesses, not-for-profit agencies, community facilities, the corporate logo, and a directional arrow.
 3. No kiosk sign shall be placed within one hundred (100) feet of another except when they are on opposite sides of the same street.
 4. Any directional sign panels shall conform to colors and design standards approved by the Zoning Administrator or his/her designee.
 5. Any sign panel approved for a particular development project within the City of Maricopa shall not be changed to another project without prior approval of the Zoning Administrator or his/her designee.

SEC. 2208 SUBMITTAL AND PERMIT REQUIREMENTS:

- A. Approval of a sign permit is required for constructing or altering any non-exempt sign. A sign permit application shall be made in writing on forms provided by the City of Maricopa. The following information shall be required as part of all sign permit applications:
 1. Business owner's name, address, telephone and fax number.

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2. Sign contractor's name, address, telephone and fax number.
 3. Inventory of all existing signs on the property showing the type and dimensions of each sign as well as a site plan showing the locations of each sign.
 4. Fully dimensioned plans and elevations showing the dimensions, design copy, and location of each proposed sign in relation to the property line(s) and public right-of-way.
 5. Plans indicating the scope and structural detail of the work to be done; including details of all connections, supports, footings, and materials to be used.
 6. Required information for an electrical permit for all signage illumination.
 7. Sign contractor and business owner shall have a current City of Maricopa business license.
- B. Two (2) copies of all information listed above in Section 2208(A) shall be submitted with the application for each sign, one (1) copy being returned to the applicant at the time the permit is issued.
- C. Before issuing any sign permit required by this Ordinance, the City of Maricopa shall collect a fee in accordance with a fee schedule established by the City Council. If work, for which a permit is required by this Ordinance, is started before a permit has been issued, the fees specified above shall be doubled. The payment of such double fee shall not relieve any persons from complying fully with the requirements of this Ordinance in the execution of the work or from any penalties prescribed herein.
- D. All signs for which a permit is required shall be subject to inspections or additional permits during various stages of construction as prescribed by the City of Maricopa Building Safety Division and the City of Maricopa sign permit number affixed to each sign.
- E. A Comprehensive Sign Plan shall comply with the standards and submittal requirements as outlined below. A Comprehensive Sign Plan is intended to provide for the establishment of signage criteria that are tailored to a specific development location, and which may vary from specific Ordinance provisions. The intent is to provide flexible sign criteria that promote superior design through architectural integration of the site, buildings and signs. A Comprehensive Sign Plan shall demonstrate consistency and uniformity among all signs. Additionally, all "signs" with an approved Comprehensive Sign Plan must have an approved sign permit with the City of Maricopa and any additional permits as necessary.

The requirements of a Comprehensive Sign Plan shall apply for any business and/or development within a related project even if the properties have been subdivided, applies for or is required to have a Comprehensive Sign Plan, shall be evaluated based upon the following criteria:

1. Placement. All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features and structures. In commercial centers in which some tenants are in locations having little or no street visibility, in order to provide identification, wall signs may be placed on walls of the building in which such tenants are located, even though not a wall of the space is occupied by those tenants.
2. Quantity. The number of signs that may be approved within any development shall not be greater than that required to provide project identification and entry signs, internal circulation and directional information to destinations and/or development sub-areas, and business

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identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.

3. **Size.** All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, amount of sign copy, and placement of display (location and height), lettering style and the presence of distractive influences. Specific justification must be made if a request is submitted for a free-standing or wall sign to exceed by more than twenty-five percent (25%) any maximum height standard or by fifty percent (50%) any maximum area standard allowed in the regular Ordinance.
4. **Materials.** Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style, or the use of a consistent lettering style or copy.
5. **Context.** The design of all signs should respect the context of the surrounding area and the character established by existing signage. Items to be considered include, but are not limited to, lettering style, sign placement, and architectural style.
6. **Submittal Plan** three (3) copies of the following should be submitted with the sign application to be reviewed by the City of Maricopa staff and Planning and Zoning Commission. The specific submittal shall include at a minimum the following information:
 - a. Information regarding the color(s), material(s), type of sign (e.g. attached or detached), and letter samples that are for all tenant, freestanding center identification signage, directional signs, window signs and any other information deemed necessary by the City of Maricopa to adequately review the Comprehensive Sign Plan (both in a graphic and written format).
 - b. A justification letter describing the request and how the sign structure, materials, and colors are compatible with the project's building architecture. Include a list in outline form of each sign requested, both freestanding and wall, to include verbiage, area in square feet, and height.
 - c. Preliminary site/landscape plan including property boundaries and dimensions. Show adjacent street right-of-way, existing and proposed; and existing/proposed street and sidewalk improvements noted to centerline. Show location of conceptual or existing landscape concepts including trees, shrubs, ground covers, berms, and screen walls.
 - d. Show location of proposed freestanding signs including dimensions, height, materials and colors, and method of illumination. Include elevations of buildings showing wall sign locations with dimensions.
- F. **Amendments.** Applications for amendments to the Comprehensive Sign Plan shall be processed in the same way as an original application. Revisions or amendments to the Comprehensive Sign Plan shall require documentation from all tenants and/or property owners on the property prior to approval.
- G. **Minor Alterations.** Minor alterations in sign locations resulting from unexpected conditions on site may be approved by the Zoning Administrator.

SEC. 2209 DISCONTINUE/CHANGE:

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- A. Whenever the use of land or structures changes, signs including any supporting structures that do not relate to the new use or to any product or service associated with the new use, shall be removed or appropriately altered within thirty (30) days of the cessation of such use.

SEC. 2210 EXCEPTIONS:

- A. **Permits Not Required:** Sign permits are not required for the following signs provided that such signs are subject to all other provisions of this Ordinance. Note: Electric permit required for all exterior electric signs.
1. Standard sign maintenance.
 2. Yard, carport or garage sale signs.
 3. Political signs.
 4. Real Estate and Open House signs (see Section 2206(D) for regulations).
 5. Nameplate signs for individual residences.
 6. Messages painted directly on, or adhesive vinyl film affixed to, the exterior surface of existing mineral glass windows; except that the aggregate square footage of such signs shall be calculated as window signage.
 7. Signs required by a county, state or federal agency provided such signs are regulated by those agencies and signs are posted per the regulations as determined by the governing agency.
 8. Portable signs.
- B. **Exempted Signage:** The provisions of this Ordinance shall not apply to the following. (Note: Electric permits are required for all exterior electric signs).
1. Pennants or insignia of any nation, state, county, city, or school.
 2. Memorial plaques, statuary or remembrances of persons or events non commercial in nature, or building identification signs and building cornerstones when cut or carved into a masonry surface or when made of non-combustible material and made an integral part of the building or structure.
 3. Works of fine art, historic or cultural artifacts when not displayed in conjunction with a commercial enterprise that may derive direct commercial gain from such display.
 4. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, religious or local holidays or events.
 5. Signs that are relevant to the function of the property that are not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.
 6. Signs displayed within the interior of a building.
 7. The placement and maintenance of official traffic, fire and police signs, signals and devices and markings of the State of Arizona and the City of Maricopa or other authorized public agency, and the posting of notices as required by law.

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8. Signs displayed during recognized holidays as identification of temporary sales areas for trees and similar holiday items in conjunction with an approved Temporary Use Permit. Such signs shall be exempted only when displayed within thirty (30) days of the recognized holiday.

SEC. 2211 PROHIBITED, UNSAFE AND ILLEGAL SIGNS:

- A. **Prohibited Signs:** Any sign not specifically listed as permitted by this Ordinance is prohibited, including, but not limited to, the following:

1. Billboards are prohibited in the City of Maricopa.
2. Signs mounted, attached, or painted on trailers, boats, or motor vehicles primarily, or left in a location for more than twenty-four (24) hours, stored, or displayed in a manner intended to attract the attention of the public for advertising purposes. This does not prohibit the identification of a firm or its principal products on a vehicle operating during the normal course of business or being taken home.
3. Signs attached to any utility pole or structure, streetlight, traffic signal, tree, fence, fire hydrant, park bench or other location on public property unless otherwise specifically addressed in this chapter.
4. The use of pennants, banners, balloons, streamers, and similar displays except as permitted in Section 2206.
5. Off site signs; except those listed in Section 2206 and Section 2207 of this Ordinance.
6. Subdivision weekend directional signs (bandit signs).
7. Signs displayed in a manner or locations that prevent free ingress and egress from a door, window or other exit.
8. Signs displayed in a location in such a manner as to obstruct or interfere with an official traffic sign, signal or device, or signs that obstruct or interfere with the driver's view of approaching, merging or intersecting traffic and signs within the road medians or signs that are otherwise prohibited by this Ordinance.
9. The use of reader panel signs except as permitted in Section 2205 of this Ordinance.
10. Fixed balloons, as defined in Section 2203 of this Ordinance used for promotional and advertisement purposes.
11. Signage on wireless communication facilities unless otherwise required by the City of Maricopa.
13. Signs placed on: walls; utility poles and housings; traffic control poles or control panels; and mailboxes.

B. **Unsafe Signs:**

1. If the Building Official, or his designee, determines any sign or sign structure to be in an unsafe condition, he shall immediately notify, in writing, the owner of such sign who shall correct such condition within forty-eight (48) hours.

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2. If the correction has not been made within forty-eight (48) hours, the Building Official, or his/her designee, may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.
3. Where permitted, all electric digital signs shall comply with the following requirements:
 - a. Each message displayed on an electronic sign must be static or depicted for a minimum of thirty (30) seconds.
 - b. Where text is displayed on a background, the text shall be brighter than the background, i.e., dark text shall not be displayed on a bright background.
 - c. Electronic signs may not contain animation or any flashing of lights, moving lights or any type of video.
 - d. Lighting from the sign must not exceed an intensity of 0.5 foot candles of light at the property line.

C. Illegal Signs:

1. The Zoning Administrator, or other designated City of Maricopa official, shall require removal of all illegal signs or legal signs placed in prohibited locations.

SEC. 2212 NONCONFORMING LIMITATIONS ON SIGNS:

A. Legal Nonconforming Signs:

1. Legal nonconforming sign(s) shall mean a sign which is/are lawfully existing at the time of the enactment of this Ordinance which does not conform to the regulations as specified in this Ordinance.
2. A legal nonconforming sign may continue to be utilized in association with an approved permitted use only in the manner and to the extent that it existed at the time of the adoption of this Ordinance or any amendment thereto.
3. A legal nonconforming sign may not be altered in any manner not in conformance with this Ordinance.
4. This does not apply to the normal repair, maintenance or replacing of existing copy provided that structural alterations are not required as part of the repairs, maintenance, or replacing of existing copy.
5. Any sign which becomes nonconforming subsequent to the effective date of this Ordinance, either by reason of annexation to the City of Maricopa or amendment to this Ordinance, shall be subject to the provisions of this Ordinance.
6. Notwithstanding any other provision of this article, legal nonconforming signs that are located on a parcel of property which is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:
 - a. Is not increased in area or height;

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- b. Remains structurally unchanged except for reasonable repairs or alterations;
- c. Is placed in the same relative position on the remaining property that it occupied prior to the relocation; and
- d. Is relocated in a manner so as to comply with all applicable safety requirements.

B. Signs For a Legal Nonconforming Use:

- 1. New or additional signs for a nonconforming use shall not be permitted.
- 2. A nonconforming sign for a nonconforming use which ceases to be used for a period of three hundred sixty-five (365) consecutive days or is suspended by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use.

C. Alteration or Removal of Nonconforming Signs:

- 1. A nonconforming sign structure shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this Ordinance; except as provided for in Section 2212(A)(5) of this Ordinance.
- 2. Any construction permit which invokes Certificate of Occupancy requirements shall specify and require that any nonconforming sign located within the boundaries of the development site authorized by said permit shall be brought into conformance with the provisions of this Ordinance. Provided that if the nonconforming sign is a type of sign that is prohibited under Section 2211 of this Ordinance, it shall be removed.
- 3. Any nonconforming sign that is allowed to deteriorate to such an extent that the cost of repair or restoration is more than fifty (50) percent of the cost of reconstruction shall either be removed or be rebuilt in full conformity with this Ordinance. Notwithstanding this provision, nonconforming signs may be repaired or replaced if the repairs or restoration are necessary due to acts of God, or the negligent act of or vandalism to the sign by a third party.

D. Signs Rendered Discontinued:

- 1. Sign structures which remain vacant, unoccupied, devoid of any message, or display a message pertaining to a time, event or purpose that no longer applies shall be deemed to be discontinued.
- 2. Any sign which is located on property which becomes vacant and unoccupied for a period of ninety (90) consecutive days shall be deemed to be discontinued.
- 3. A sign whose use has been deemed discontinued is prohibited and shall be removed by the owner of the sign or owner of the premises.

-----End of Article 22-----

- 14. Delete **Section 2306** in its entirety.
- 15. Delete **Sections 2323-2327** in their entirety.

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16. Amend **Section 2330(b)(1)** by replacing the language in (b)(1) with the following:

“A dwelling unit, transportable in one or more sections, manufactured after June 15, 1975, built to HUD standards with a HUD seal affixed, and does not include a Recreational Vehicle as defined in Sec. 456a, or a Mobile Home or Factory-Built building (modular) as defined in this section, which:”

and by adding new Subsection (E) to read:

- E. Only manufactured homes completed after June 15, 1976 to standards established by the U.S. Department of Housing and Urban Development shall be allowed within the incorporated areas of the City of Maricopa.

17. Delete **Section 2330©)** in its entirety.

18. Delete **Section 2401** in its entirety and replace it with the following language:

There is hereby created, pursuant to A.R.S. §9-462.06 a Board of Adjustment. The Board of Adjustment shall consist of no fewer than five (5) and no more than seven (7) members. Until and unless a separate Board of Adjustment is actually appointed by the City Council, the City Council shall serve as the Board of Adjustment, as permitted by A.R.S. §9-462.06(A).

19. Amend **Section 2402** by deleting the phrase “regularly at least once a month and more often, if necessary, for” and replace it with “as often as reasonably necessary for the orderly”

20. Delete **Section 2705** in its entirety and replace it with the following language:

A fee schedule may be adopted by the City Council to cover expenses for the issuance of permits to erect, construct, reconstruct, inspect, alter or change the use of any building or other structure within any portion of the City of Maricopa, for any application required or services provided under this Code. Said fee schedule shall be known as the City of Maricopa Planning and Development Services Fee Schedule and may be revised by the Council as needed to keep current with rising expenses incurred for processing permits and applications required by this Code. The adoption or revision of a fee schedule shall not effect any change in the Ordinance itself.

21. Delete **Sections 2706-2710** in their entirety.

22. Amend **Section 2711** by deleting the phrase “Sheriff of Pinal County” and replacing it with the phrase “Zoning Administrator” and replace the phrase “said county” with “City of Maricopa.”

23. Amend **Section 2713** by deleting the phrase “pursuant to A.R.S. §11-808”.

24. Amend **Section 2714** by replacing all references to the Board of Supervisors with “City Council” and deleting all language after the second reference to Board of Supervisors therein.

25. Delete **Article 32** in its entirety without renumbering the remaining Sections.

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26. Amend **Section 3304** by substituting the number "28" for "27" in the second line. Section 3304 is further amended by deleting the phrase " of \$1,000.00" and replacing it with "set by resolution of the Council."
27. Delete **Section 3405** in its entirety.
28. Delete **Section 3408** in its entirety.
29. Delete **Section 3504(5)** in its entirety.¹⁶

¹⁶ Amended Section 3504

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Section 16-1-5 Adoption of Light Pollution Code

A. Adoption of Maricopa Light Pollution Code as part of Zoning Code

That certain document entitled and known as the "Pinal County Light Pollution Code," as amended and in effect as of June 1, 2004, is hereby adopted as the Article 35 of the Maricopa Zoning Code and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.

B. **Amendments to the provisions of the Light Pollution Code.**

1. Amend Section 1.02 by adding the word "City" prior to Code.

2. Replace Section 2.01 in its entirety with the following:

A complete lighting unit consisting of a lamp or lamps and ballast(s) (when applicable) together with the parts designed to distribute the light, position and protect the lamps, to connect the lamps to the power supply for:

1. Buildings, structures, and architectural features.
2. Recreational areas.
3. Parking lot lighting.
4. Landscape lighting.
5. Signage (advertising or others).
6. Street lighting.
7. Building overhangs and open canopies.
8. Product display area lighting.
9. Walkways
10. Horse arenas, corrals and animal containment areas.

3. Amend Section 2.03 by deleting the language "but shall not apply to those outdoor light fixtures installed prior to such date."

4. Amend Section 4.03 by deleting the language "except that landscaping may be illuminated using incandescent lamp and fixture of less than 150 watts."

5. Add new Section 4.04 as follows:

Mercury Vapor

The installation of mercury vapor fixtures is prohibited. Existing mercury vapor fixtures shall be removed and replaced with compliant lighting fixtures.

6. Delete Section 5.01 in its entirety.

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7. Amend Article 8 by inserting the phrase “class one (1)” prior to the word “misdemeanor.”

Section 16-1-6 Applications for Permits and Approvals

The Zoning Administrator or Planning and Zoning Commission and its staff may require with all applications whatever data and information is deemed necessary to reasonably determine that the proposed work is in compliance with requirements of the Codes and other pertinent laws and ordinances.

Section 16-1-7 Violations and Penalties

A. Criminal Penalties

1. Any person who violates any provision of the Zoning Code shall be guilty of a class one (1) misdemeanor, punishable as set forth in this code or state law.
2. Each failure to obtain a required permit clearance, certification, review, approval or inspection shall constitute a separate violation.

B. Civil Penalties

1. Any person, or enterprise, as defined pursuant to Arizona Revised Statutes Section 13-105, who violates any provision of this chapter shall be subject to a civil penalty as an alternative method of enforcing this chapter.
2. No person shall be subject to a criminal penalty for a violation enforced under the civil penalty provisions of this section.
3. The amount of the civil penalty for the violation of this chapter shall be determined by the city magistrate, subject, however, to the directions of the city council which may, but is not required to, establish a schedule of such penalties. Said penalties shall not exceed the amount of one thousand (\$1,000) dollars for an individual or ten thousand (\$10,000) dollars for an enterprise for each offense.
4. Any person alleged to be subject to a civil penalty under this section shall be entitled to an administrative hearing regarding their liability and a review of that decision by the city council if requested in writing within seven days of the decision at the administrative hearing. The administrative hearing shall take place before the city magistrate, subject to any rules of procedure for the same as may be adopted by the city council from time to time.

C. Other Methods of Enforcement

The city council, the city attorney, the building official, or any adjacent or neighboring property owner who shall be especially damaged by the violation of any provision of this Chapter, may initiate other remedies provided by law (e.g. an injunction, writ of mandamus, abatement) or any other appropriate action, proceeding or proceedings to prevent, abate or remove such violation of this chapter.

D. Separate Offenses

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Any person, firm, corporation or other enterprise as defined above violating this chapter shall be deemed guilty of a separate offense for each and every day during which a violation of the provisions of this chapter is committed, continued or permitted.

Section 16-1-8 Conflicting Provisions

Where, in any specific case, different sections of the Zoning Code or city code specify the use of different standards, different construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general and specific requirement, the specific requirement shall be applicable.

Section 16-1-9 Severability

If any section, subsection, clause, phase or portion of this chapter, or any part of the Zoning Code adopted by reference herein, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof.

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Article 16-2 Planning and Zoning Commission¹⁷

16-2-1	Establishment
16-2-2	Powers
16-2-3	Duties
16-2-4	Membership
16-2-5	Term of Office
16-2-6	Nonattendance/Removal
16-2-7	Organization

Section 16-2-1 Establishment

There is hereby established, pursuant to Arizona Revised Statutes A.R.S. § §9-461.01 *et seq.*, a planning agency known as the City of Maricopa Planning and Zoning Commission ("Commission").

Section 16-2-2 Powers

The Commission is the planning agency for the City and shall have all powers necessary to enable it to fulfill its planning function in accordance with the Arizona Revised Statutes. The Commission shall provide an advisory function to assist the City Council in making decisions pertaining to amendments to the General Plan and this Ordinance, as well as applications for development approval. In no event is the Commission authorized to render a final decision approving, denying, or conditionally approving a change in the Zoning Ordinance or General Plan, or to render a final decision on an application for development approval; except as otherwise expressly authorized in this Ordinance

Section 16-2-3 Duties

In addition to any other authority granted to the Commission by Arizona law, other ordinances of the City or by this Ordinance, the Commission shall have the following powers and duties:

1. To hold public hearings when necessary or when required by law.
2. To initiate, hear, review, and make recommendations to the City Council regarding applications for amendments to the General Plan or Area Specific Plans, in accordance with the provisions of this Ordinance. On an annual basis review and make recommendations to the Mayor and Council concerning the General Plan as well as plans for the development of any land outside the City's planning area, which in the opinion of the Commission, is substantially related to the planning of the City.
3. To make recommendations to the City Council on all matters concerning or relating to the creation or amendment of Zoning Ordinances, the boundaries thereof, the appropriate regulations to be enforced therein, and to undertake any other activities usually associated therewith and commonly known as "planning and zoning".
4. To initiate, hear and review applications for amendments to either the Zoning District Map and/or the text of the Zoning Ordinance, in accordance with the provisions of this Ordinance.

¹⁷ AMENDED Section 16-2

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5. To serve as the advisory body to the City Council on such matters as applications for site plan review, conditional use permits, protected development rights plans, and any other permit or review process in accordance with the provisions of this Ordinance.
6. To hear, review and decide on subdivision preliminary plats, in accordance with the provisions of the City's Subdivision Ordinance.
7. To confer and advise with other city, county, regional, or state planning agencies and commissions.

Section 16-2-4 Membership

The Commission shall consist of:

- A. The Commission consists of seven (7) members. Each Council Member shall sponsor one of the seven (7) Commission members. Each Commission member shall be nominated by the sponsoring Council Member and appointed by a majority approval of Council at a Council meeting. Such appointments shall occur within three (3) months of the seating of the sponsoring Council Member.
- B. Commission members shall be of good character, be a registered voter within the City of Maricopa and have established residency within the City of Maricopa incorporated limits for a duration of no less than one (1) year prior to their appointment. Commission members shall maintain residency within the City for the duration of the term to which they have been appointed.
- C. Commission members shall not: hold any City, County, State or Federal elected office; be employed or under contract with the City while a member of the Commission; be a member of any City standing committee or commission.
- D. Commission members shall serve at the pleasure of, the Council without compensation, except reimbursement for actual and reasonable expenditures.
- E. Commission members shall meet all requirements, technical and otherwise, as set forth in the Commission membership application.

Section 16-2-5 Term of Office

The term of office of the members of the Planning and Zoning Commission shall correspond to the election term of the sponsoring Council member. Upon expiration of the sponsoring Council member's term, Commission members shall continue to hold office until their sponsoring Council Member's successor is elected. In the event of a death, resignation, or removal from the Commission, a resident of the City may apply to be appointed by the sponsoring Council member and once approved by Council shall fill the vacancy.

Section 16-2-6 Nonattendance/Removal

Members of the Commission shall serve at the pleasure of Council and may be removed by a majority vote of Council. Any member who accumulates two successive un-excused absences

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during a calendar year from any regular or special meeting shall, unless good cause for the absences is established prior, be removed by the Council.

Section 16-2-7 Organization

- A. Officers. The Commission shall elect a chairperson and vice-chairperson from among its own members. The chairperson shall preside at all meetings and shall take such actions as necessary to preserve order and the integrity of all proceedings before the Commission. The vice-chairperson shall perform the duties of the chairperson in the latter's absence or disability.
- B. Meetings. The Commission shall hold at least one regular meeting in each month at such time and place as may be fixed by the Planning and Zoning Commission. Special meetings of the Commission may be called by the chairperson, or by any three members of the Planning and Zoning Commission. Meetings of the Commission shall be open to the public, with only such exceptions as may be permitted by state law with respect to executive session, and public input shall be permitted in all public meetings on matters before the Commission. The minutes of the proceedings, showing the vote of each member and records of its examinations and other official actions, shall be kept and filed in the Planning Office and the office of the City Clerk as a public record.
- C. Quorum. Four (4) members of the Commission shall constitute a quorum for the transaction of business. No matter may be considered by the Commission unless there are four (4) or more members present who are eligible/qualified to vote on the matter. The affirmative vote of at least the majority of the quorum present and voting shall be required to pass a motion. If a member has been present for the entire presentation of an issue that member may abstain from voting only because they have a conflict of interest or as soon as the conflict is discovered. If a member has a conflict of interest he/she shall declare said conflict of interest prior to the presentation and shall abstain from all discussion and deliberation on the matter in question. The Chairperson shall seek direction to proceed from legal council when conflict of interests is raised.
- D. Rules and Regulations. and Regulations. The Commission shall follow the general procedures of *Robert's Rules of Order* for the conduct of its meetings in the event of a procedural dispute. The Commission may make and publish by-laws to govern its proceedings and to provide for its meetings which shall not be inconsistent with the ordinances of the city and the laws of Arizona. The by-laws and any amendments thereto shall, prior to adoption, be reviewed by the City Attorney and approved by the City Council.

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Article 16-3 Zoning Annexed Land¹⁸

County zoning shall continue in effect on land previously zoned by the county and annexed by the City until City zoning is applied to the land in accordance with the provisions of this Chapter, however, in no event shall county zoning continue on the land for longer than six (6) months after annexation. Nothing contained herein shall prohibit the City from beginning the rezoning process for the land to be annexed prior to the effective date of the annexation.

¹⁸ Amended Section 16-3

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Article 16-4 Citizen Participation Requirements¹⁹

- 16-4-1 Citizen Participation Plan
- 16-4-2 Citizen Review Process
- 16-4-3 Citizen Participation Report

Section 16-4-1 Citizen Participation Plan

- A. Every application which requires a public hearing shall include a citizen participation plan which must be implemented no later than fifteen (15) calendar days prior to the first public hearing.
- B. The purpose of the citizen participation plan is to:
 - 1. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
 - 2. Ensure that the citizens of the City of Maricopa and adjacent property owners have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and
 - 3. Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.
- C. The citizen participation plan is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow informed decision making.
- D. At a minimum the citizen participation plan shall include the following information:
 - 1. A narrative discussing the proposed time, place and location within the City of Maricopa of the neighborhood meeting;
 - 2. A list of names and addresses and addressed, stamped envelopes of all the property owners within the target area, as determined in sub-section E below, of the subject property, with an affidavit by the applicant that the list of names and addresses is accurate, current and complete;
 - 3. A list of names and addresses of all other interested parties who have requested that they be placed on a notification list maintained by the Planning Department;

¹⁹ Amended Section 16-4

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4. A property owner notification letter including a general explanation of the substance of the proposed application, the date, time and place within the City of Maricopa scheduled for a neighborhood meeting; and the City of Maricopa and applicant contacts;
 5. An 8 ½ " x 11" reduction of the proposed neighborhood sign; and
 6. The applicant's schedule for completion of the citizen participation plan.
- E. The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the site. The target area for early notification will be determined by the applicant after consultation with the Planning Department.
- F. These requirements apply in addition to any notice provisions required elsewhere.
- G. Thirty (30) calendar days to ninety (90) calendar days prior to the public hearing, the applicant may submit a citizen participation plan and begin implementation prior to formal application at their discretion. This shall not occur until after the required pre-application meeting and consultation with the Planning Department staff.

Section 16-4-2 Citizen Review Process

- A. Prior to scheduling a public hearing before the Planning and Zoning Commission, an applicant shall submit materials including, but not limited to, the materials listed in Section 16-4-2(c)(i) below, for citizen review to the Planning Department and conduct a neighborhood meeting within the City of Maricopa.
- B. Notice of the neighborhood meeting shall be given to the Planning Department at least fifteen (15) calendar days prior to the neighborhood meeting in the following manner:
1. A written notice of application shall be mailed to all landowners of property within the target area, as determined by sub-section E of the Citizen Participation Plan Section, of the subject property, and to such other persons as the Planning Department, or authorized designee, determines to be other potentially affected citizens.
 2. A notice of neighborhood meeting shall be published once in a newspaper of general circulation published or circulated in the City of Maricopa and shall include the date, time, location and nature of the meeting.
 3. The applicant shall post the proposed site with a neighborhood meeting sign. The sign shall be colored as approved by the Planning

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Department, waterproof and have a minimum size of twenty four (24) inches by thirty six (36) inches with all information evenly spaced and organized in a readable manner. The sign shall include the proposal, project description, time, date, location of neighborhood meeting, the names and telephone numbers citizens may call with complaints and applicant and City of Maricopa contacts, including name and telephone number. The sign shall be placed on the property in a location determined by the Planning Department or authorized designee.

- C. The Planning Department or authorized designee shall be responsible (i) to review and approve the property owner notification, newspaper advertisement, neighborhood meeting sign, neighborhood meeting location, a brief description of the property change and a land map; (ii) to notify the applicant to proceed with the neighborhood meeting; and (iii) for mailing the property owner notifications provided by the applicant.
- D. Prior to holding the neighborhood meeting, the applicant shall receive written approval from the Planning Department or authorized designee.
- E. The applicant shall notify all applicable school district(s) not less than thirty (30) calendar days prior to any neighborhood meeting or public hearing on a (i) general plan amendment; (ii) new specific area plan or amendment to an existing specific area plan or (iii) rezoning request or text amendment to the Zoning Ordinance. The applicant shall provide the Planning Department with a letter from the applicable school district(s) indicating that the applicant has contacted and met with the school district(s). Such letter shall be submitted to the Planning Department not less than seven (7) calendar days prior to any public hearing on a (i) general plan amendment; (ii) new specific area plan or amendment to an existing specific area plan or (iii) rezoning request or text amendment to the Zoning Ordinance.

Section 16-4-3 Citizen Participation Report

- A. This section applies only when a citizen participation plan is required to be submitted by an applicant.
- B. The applicant shall provide a written report on the results of their citizen participation effort prior to the notice of public hearing. This report will be attached to the Planning Department's public hearing report.
- C. At a minimum, the citizen participation report shall include the following information:
 - 1. Details of techniques the applicant used to involve the public, including:
 - a. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;
 - b. Content, dates mailed, and numbers of mailings, including

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letters, meeting notices, newsletters, maps and other publications;

- c. Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located;
 - d. A copy of the sign in sheet from the neighborhood meeting which shall include attendees signature, physical property address, date and the following language "This sign in sheet is intended to serve as proof that public input was pursued. Your personal information will not be used for solicitation purposes";
 - e. A photograph of the posted neighborhood meeting sign showing the date and time at which the photo was taken; and
 - f. A newspaper clipping of the legal advertisement as published in the newspaper of general circulation in the City of Maricopa.
2. A summary of concerns, issues and problems expressed during the process, including:
- a. The substance of the concerns, issues, and problems;
 - b. How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and
 - c. Concerns, issues and problems the applicant is unwilling or unable to address and why.
3. Minutes of the neighborhood meeting(s).

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Article 16-5	Board of Adjustment²
16-5-1	Establishment
16-5-2	Powers
16-5-3	Duties
16-5-4	Membership
16-5-5	Term of Office
16-5-6	Nonattendance/Removal
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16-5-13	Board of Adjustment Conditional Approval
16-5-14	Board of Adjustment Guarantees

Section 16-5-1 Establishment

There is hereby established, pursuant to Arizona Revised Statutes A.R.S. § 9-462.06, a Board of Adjustment known as the City of Maricopa Board of Adjustment ("Board"). Until a separate Board of Adjustment is appointed by the City Council, the City Council shall serve as the Board of Adjustment, as permitted by A.R.S. §9-462.06(A).

Section 16-5-2 Powers

The Jurisdiction of the Board of Adjustment shall be throughout the incorporated area of the City of Maricopa. The Board shall have the following authorities:

- A. Interpret the Zoning Ordinance when: the meaning of any word, phrase, or section is in doubt; when there is dispute as to such meaning between the appellant and the Zoning Administrator or their designee; or when the location of a zone boundary is in doubt.
- B. Authorize a reduction of the off-street parking and loading requirements of the City of Maricopa Zoning Ordinance, if it should find that in the particular case the peculiar nature of the building or premises, or an exceptional situation or condition, would mitigate the need for the parking spaces specified.
- C. Authorize variances from the strict application of the provisions of the Zoning Ordinance in cases in which the strict application of such provisions would result in the serious impairment of substantial property rights, provided the long-term interests of the community are given full consideration. The applicant at the hearing shall present a statement and adequate evidence in such form as the Board shall require satisfying, at minimum, the requirements set forth below:
 1. There exist special circumstances or conditions regarding the land, building, or use referred to in the applications which do not apply to other properties in regards to the Zoning designation of the property.
 2. The special circumstances or conditions are preexisting and are not created or self-imposed by the owner or the applicant.

² Added Article 16-5 by Ordinance 10-05 Adopted 05/04/10

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3. The Variance is necessary for the preservation of substantial property rights. Without a Variance the property cannot be used for purposes otherwise allowed within the Zoning designation. The need for adequate financial return is not a legitimate basis for a variance.
 4. The authorizing of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, or to the neighborhood or the public welfare.
 5. Any other requirements as defined in ARS § 9-462.06 G. 2.
- D. Act on disputed Temporary Use Permits (TUP). Such disputed TUP shall be approved, approved with conditions or denied by the Board.
- E. Hear and decide Notice of Appeals from the decisions of the Zoning Administrator ("Notice of Appeal").

Section 16-5-3 Duties

In addition to any other authority granted to the Board of Adjustment by Arizona law, other ordinances of the City or by this Ordinance, the Board of Adjustment shall have the following duties:

- A. To conduct public meetings and hold public hearings: as often as reasonably necessary for the orderly transaction of business; as needed to maintain compliance with all City administrative procedures, ordinances of the City and the laws of Arizona; as requested by the City Manager or his designee, or, when required by law. The BOA will convene if, and when, an appeal is made by an applicant. A variance is needed with respect to the Zoning Code, or a Temporary Use Permit is disputed
- B. Elect officers; Chairperson and Vice-Chairperson.
- C. Adopt rules and procedures necessary and/or convenient to conduct business.
- D. Keep a record of its actions, minutes of the meeting.
- E. Render a quarterly report to the City Council and the Planning and Zoning Commission; when applicable.

Section 16-5-4 Membership

The Board of Adjustment shall consist of:

- A. The Board consists of seven (7) members. Each Council Member shall sponsor one of the seven (7) Board members. Each Board member shall be nominated by the sponsoring Council Member and appointed by a majority approval of Council at a Council meeting. Such appointments shall occur within three (3) months of the seating of the sponsoring Council Member.
- B. Board members shall be of good character, be a registered voter within the City of Maricopa and have established residency within the City of Maricopa incorporated limits for a duration of no less than one (1) year prior to their appointment. Board members shall maintain residency within the City for the duration of the term to which they have been appointed.

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- C. Board members shall not: hold any City, County, State or Federal elected office; be employed or under contract with the City while a member of the Board of Adjustment; be a member of any City standing committee or commission.
- D. Board members shall serve at the pleasure of Council without compensation, except reimbursement for actual and reasonable expenditures.
- E. Board members shall meet all requirements, technical and otherwise, as set forth in the Board of Adjustment membership application.

Section 16-5-5 Term of Office

The term of office of the members of the Board of Adjustment shall correspond to the election term of the sponsoring Council member. Upon expiration of the sponsoring Council member's term, Board members shall continue to hold office until their sponsoring Council Member's successor is elected. In the event of a death, resignation, or removal from the Board, a resident of the City may apply to be appointed by the sponsoring Council member and once approved by Council shall fill the vacancy.

Section 16-5-6 Nonattendance/Removal

Members of the board shall serve at the pleasure of Council and may be removed by a majority vote of the Council. Any member who accumulates two successive un-excused absences during a calendar year from any regular or special meeting shall, unless there is a good cause for the absences is established prior, be removed by the Council.

Section 16-5-7 Organization

- A. Officers. The Board of Adjustment shall elect a chairperson and vice-chairperson from among its own members. The vice-chairperson shall perform the duties of the chairperson in the latter's absence or disability. The chairperson shall have the following powers:
 - 1. Preside at all meetings, and take such actions as necessary to preserve order and the integrity of all proceedings before the Board of Adjustment.
 - 2. Administer oaths and take evidence
- B. Meetings. The Board of Adjustment shall meet as may be necessary to fulfill their duties. Meetings of the Board shall be open to the public, with only such exceptions as may be permitted by state law with respect to executive session. Public input shall be permitted in all public meetings on matters before the Board. The minutes of the proceedings, showing the vote of each member and records of its examinations and other official actions, shall be kept and filed in the office of the City Clerk as a public record. City will provide support staff including: Zoning Administrator, Attorney, BOA Secretary for taking Minutes, and other staff as necessary
- C. Quorum. Four (4) members of the Board shall constitute a quorum for the transaction of business. No matter may be considered by the Board unless there are four (4) or more members present who are eligible/qualified to vote on the matter. The affirmative vote of at least the majority of the quorum present and voting shall be required to pass a motion. If a member has been present for the entire presentation of an issue that member may abstain from voting only because they have a conflict of interest. If a member has a conflict of interest he/she shall declare said conflict of interest prior to the presentation or as soon as the conflict is discovered and shall abstain from all discussion and

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deliberation on the matter in question. The Chairperson shall seek direction to proceed from legal council when conflict of interests is raised.

- D. Rules and Regulations. The Board shall follow the general procedures of *Robert's Rules of Order* for the conduct of its meetings in the event of a procedural dispute. The Board may make and publish by-laws to govern its proceedings and to provide for its meetings which shall not be inconsistent with the ordinances of the City and the laws of Arizona. The by-laws and any amendments thereto shall, prior to adoption, be reviewed by the City Attorney and approved by the City Council.

Section 16-5-8 Procedure

- A. All applications for, Variance(s) shall be made by the owner or their representative to the Board of Adjustment in the form of a written application. Said applications shall be made on forms provided by the Development Services Department, shall be filed with the Development Services Department and shall be accompanied by all necessary information as indicated by the application and evidence satisfactory to the Board of Adjustment, of the ability and intention of the applicant to proceed with actual construction or location of use in accordance with said plans within six (6) months after approval.
- B. All Temporary Use Permit (TUP) Dispute requests shall be made by a property owner within the notification area as set forth in the City of Maricopa Zoning Ordinance and shall be submitted to the City of Maricopa Development Services Department, over the counter, within the ten (10) day posting period as defined by the City of Maricopa Zoning Ordinance. The dispute shall be written and submitted to the City of Maricopa Development Services Department by hand delivery prior to 5:00 PM on or prior to the last regular business day in which the ten (10) day posting period expires; which ever occurs first. Requests submitted by mail via carrier, email or phone call shall not constitute a formal Temporary Use Permit Dispute and will not be accepted for consideration. The following must be included within the dispute letter:
1. Name, address and signature of the disputer.
 2. Date of dispute.
 3. Reason for dispute of the Temporary Use Permit.
 4. Address of disputed Temporary Use Permit.
 5. Name of Business and/or property owner, Temporary Use Permit Case Number; example: "TUP00.00."
 6. Any other information as requested by the Board of Adjustment, the City of Maricopa Zoning Administrator or their designee.

Note any dispute which does not meet the above criteria shall not be accepted by the City of Maricopa

- C. A Notice of Appeal of a Zoning Administrator Decision(s) to the Board of Adjustment may be submitted by person(s) aggrieved or by an officer, department, board, or bureau of the City of Maricopa affected by the decision of the Zoning Administrator. All Notice of Appeals shall be filed with the Development Services Department in the following manner:

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1. A Notice of Appeal of a Zoning Administrator Decision must be filed with the Development Services Department, submitted over the counter, within thirty (30) days of receipt of the written decision by the Zoning Administrator and/or the approval or denial by the City Council. Such Notice of Appeal shall specify the grounds of the appeal. The Zoning Administrator, once a Notice of Appeal is received, shall immediately transmit all records pertaining to the action appealed to the Board. A Notice of Appeal submitted by Mail via carrier, email or phone call shall not constitute a formal submittal of a Notice of Appeal of a Zoning Administrator Decision and will not be accepted for consideration.
2. The following must be included to constitute a formal Notice of Appeal of a Zoning Administrator decision:
 - a. The formal written decision of the Zoning Administrator and/or the City Council.
 - b. Name address and signature of the property owner and/or their designee.
 - c. Date of appeal.
 - d. Reason for appeal and any justification for such appeal.
 - e. Address as it relates to the location of the appeal or information as necessary to determine the location in which was affected by the Zoning Administrator decision.
 - f. Case number of project; if applicable.
 - g. A list showing the names and addresses of all persons, firms or corporations appearing of public record as owning property within the area proposed to be affected and within three hundred (300) feet of any part of the property for which the Notice of Appeal is requested. The list must include the names of all persons purchasing land under recorded contracts of sale, and must be certified as to completeness by the applicant or a person/entity otherwise qualified with knowledge of the public records.
 - h. Any other information as requested by the Board of Adjustment.

Section 16-5-9 Fees

Uniform non-refundable fees are set forth in the City of Maricopa Development Services Fee Schedule approved by the City of Maricopa City Council.

Section 16-5-10 Public Hearings

All submittals to the City of Maricopa Board of Adjustment shall require Public Hearings. Such Public Hearing Requirements shall be in accordance with the City of Maricopa Zoning Ordinance and ARS § 9-462.04 & 9-462.06. Where there are deviations in Public Hearing requirements between that of the City of Maricopa Zoning Ordinance and the Arizona Revised Statutes the Zoning Administrator or their designee may have the right to waive certain requirements of the City of Maricopa Zoning Ordinance; but may not waive any of the minimum requirement as set forth within ARS § 9-462.04 & 9-462.06.

Section 16-5-11 Board of Adjustment Approval Action

- A. Variance: In the event the Board of Adjustment finds that substantial conformity to standards previously established in the zone and/or on the property may be secured and that detriment, nuisance or injury to the neighborhood will not result from the granting of a variance, as applied for, the Board may approve or conditionally approve the issuance of said variance and transmit notice of the Board's action to the Zoning Administrator. A report of the findings and recommendations and any conditions imposed or required shall also be submitted promptly to the Planning and Zoning Commission and the City Council.

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- B. Temporary Use Permit Dispute Request: In the event the Board of Adjustment receives a Temporary Use Permit Dispute Request and finds that substantial conformity to standards previously established in the zone and/or on the property shall not impose a detriment, nuisance or injury to the neighborhood as a result from the approval of a Temporary Use Permit as applied for, the Board may approve or conditionally approve the issuance of said Temporary Use Permit and transmit notice of the Board's action to the Zoning Administrator. A report of the findings and recommendations and any conditions imposed or required shall also be submitted promptly to the Planning and Zoning Commission and the City Council.
- C. Notice of Appeal: In the event the Board of Adjustment receives a Notice of Appeal and finds that substantial conformity to standards previously established in the zone and/or on the property may be secured and that detriment, nuisance or injury to the neighborhood will not result from the overturning the ruling of the Zoning Administrator, the Board may overturn or conditionally overturn the Zoning Administrator Decision and transmit notice of the Board's action to the Zoning Administrator. A report of the findings and recommendations and any conditions imposed or required shall also be submitted promptly to the Planning and Zoning Commission and the City Council.

Section 16-5-12 Board of Adjustment Denial Action

- A. Variance: In the event the Board of Adjustment denies an application for a variance, no variance shall be issued pending further action thereon by an appeal to the Superior Court within thirty (30) days from the date said denial is officially entered on the minutes of the Board. If said Court shall overrule the action of the Board, then the Zoning Administrator or their designee shall issue the requested variance without further action by the Board, unless the Court orders the Board to hold further hearings to permit the Board to fix conditions or require guarantees, as set forth in Sections 16-5-13 and 16-5-14.
- B. Temporary Use Permit Dispute Request: In the event the Board of Adjustment denies a Temporary Use Permit as a result of a Dispute Request, no permit shall be issued pending further action thereon by an appeal to the Superior Court within thirty (30) days from the date said denial is officially entered on the minutes of the Board. If said Court shall overrule the action of the Board, then the Zoning Administrator or their designee shall issue the requested permit without further action by the Board, unless the Court orders the Board to hold further hearings to permit the Board to fix conditions or require guarantees, as set forth in Sections 16-5-13 and 16-5-14.
- C. Notice of Appeal: In the event the Board of Adjustment upholds the ruling of the Zoning Administrator Decision, no decision by the Board shall be issued pending further action thereon by an appeal to the Superior Court within thirty (30) days from the date said denial is officially entered on the minutes of the Board. If said Court shall overrule the action of the Board, then the Zoning Administrator or their designee shall issue the requested appeal without further action by the Board, unless the Court orders the Board to hold further hearings to permit the Board to fix conditions or require guarantees, as set forth in Sections 16-5-13 and 16-5-14.

Section 16-5-13 Board of Adjustment Conditional Approval

In approving any application, appeal or request heard by the Board, the Board of Adjustment may designate such conditions in connection therewith as will, in its opinion to secure substantially the objectives of the regulation or provision to which such application, appeal or request is granted, to provide adequately for the maintenance of the integrity and character of the zone and/or property in which such

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application, appeal or request is granted, and shall provide the Zoning Administrator with a copy of the same. A report of its findings shall also be submitted promptly to the Planning and Zoning Commission and the City Council.

Section 16-5-14 Board of Adjustment Guarantees

Where necessary, the Board of Adjustment may require guarantees, in such form as it may deem proper under the circumstances, to insure that the conditions designated in connection therewith are being or will be complied with. Where any condition under which a Variance, Temporary Use Permit, Notice of Appeal has been granted is violated, the Variance, Temporary Use Permit, Notice of Appeal shall cease to exist and the approval of the action shall become null and void.